

Par. S.2.1.1.52  
836

Volume I

No. 1 - 21



Thursday  
24th July, 1952

# PARLIAMENTARY DEBATES

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HOUSE OF THE PEOPLE

OFFICIAL REPORT

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(Part I - Questions and Answers)

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Members Sworn [Cols. 2—18].

PARLIAMENT SECRETARIAT  
NEW DELHI

*Price Six Annas (Inland)*  
*Price Two Shillings (Foreign)*

THE

PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

Session No. 52  
Block C  
Acc. No. 25052  
Date 19.11.2014

2063

HOUSE OF THE PEOPLE

Thursday, 24th July, 1952

The House met at a Quarter Past  
Eight of the Clock

[MR. SPEAKER in the Chair.]

ORAL ANSWERS TO QUESTIONS

COMMUNITY PROJECTS

\*2038. **Sardar Hukam Singh:** (a) Will the Minister of **Planning** be pleased to state whether the work of rural-cum-urban community projects envisaged under the Technical Co-operation Agreement has started?

(b) If so, what are the areas first chosen for this purpose?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** (a) Work on the projects is to begin by the 1st of October, 1952, in time for the next Rabi season.

(b) I invited attention to article 2 of the Operational Agreement No. 8 on Community Development Programme.

**Mr. Speaker:** Next question, No. 2039.

**Some Hon. Members:** The Minister is absent.

**Mr. Speaker:** None in charge? We will take it up later. Next question.

HORTICULTURAL OPERATIONS

\*2040. **Shri S. C. Samanta:** (a) Will the Minister of **Works, Housing and Supply** be pleased to state what is the amount spent in Delhi and New Delhi for horticultural operations of the C. P. W. Department's Horticultural Division in each of the years from 1947-48 to 1951-52?

(b) How much is proposed to be spent for the purpose in 1952-53?

(c) Was there any income accruing from horticultural operations in each of those years (year by year)?

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(d) What are the names of pamphlets etc. published so far from the department?

(e) Are those pamphlets etc. sold or distributed free?

**The Deputy Minister of Works, Housing and Supply (Shri Buragohain):** (a) to (c). A statement containing the required information is laid on the Table of the House. [See Appendix X, annexure No. 9].

(d) A monthly bulletin named 'Garden Chat' and plant catalogues in respect of flowers, vegetables, and trees.

(e) The bulletin 'Garden Chat', which was previously being distributed free, was converted into a priced publication since January 1952; this publication has been stopped since April 1952. The other pamphlets are distributed free.

**Shri S. C. Samanta:** I submit with deep regret, Sir, that the statement which is said to be laid on the Table has not been supplied to me. Even just now, I went to the notice office. The other day also such a thing happened. May I know, Sir, whether you will take steps to see that the statements are given in time?

**Mr. Speaker:** I shall enquire into the matter. If the hon. Minister has got a copy of the statement, he may pass it on, please.

**Shri Buragohain:** I shall pass it on and also furnish any other particulars that the hon. Member may require.

**Shri S. C. Samanta:** May I know what are the rents charged from Members of Parliament for these horticultural operations?

**Shri Buragohain:** For Members of Parliament, garden charges, during the session period, nil; for flower beds, Rs. 2-1-0. During non-session period, garden charges Rs. 11-10-0; flower beds Rs. 2-7-0. From the allottees of 78 bungalows on an annual basis, the

rates are: garden charges Rs. 7; flower beds Rs. 2-4-0.

**Shri S. C. Samanta:** During the non-session period, the charges are very high. May I know whether the Government have any scheme in contemplation to look into the matter so that the charges will not be high?

**Shri Buragohain:** As the hon. Member no doubt knows, we have recently taken a decision that rent is to be charged on the basis of FR 45A. In view of this decision now the distinction between session and non-session periods will not be there and all Members of Parliament will now be treated as on duty throughout the year and will be required to pay rent of residences under FR 45A and Rs. 2-1-0 in respect of charges for flower beds, if they are living in bungalows. No garden charges will be levied from them.

**Shri S. C. Samanta:** May I know what are the facilities that are given to the inhabitants of these M.L.A. bungalows including Government officials bungalows?

**Shri Buragohain:** Government servants and also Members of Parliament who pay rent under FR 45A are not required to pay anything towards the cost of maintenance of lawns and hedges, which is done at Government cost. With regard to flower beds and also vegetables, it is the duty of the allottees.

**Shri S. C. Samanta:** May I know how many nurseries are maintained by this division and whether seeds and seedlings are supplied to the inhabitants free or on payment?

**Shri Buragohain:** This division maintains a nursery known as the Sunder Nursery near Humayun's Tomb, from which seeds, cut-flowers, plants and saplings are sold to the public.

**Shri Gadgil:** May I know whether the Government have come to any decision as regards charges for furniture?

**Shri Buragohain:** I think that matter is also being considered. Previously the life of furniture was taken as five years. The proposal that we are considering is that we should fix it at 10 years.

सरदार ए० ए० सहगल : क्या मन्त्री महोदय यह बतलाने की कृपा करेंगे कि नार्थ और साउथ ऐवेन्यू में रहने वालों

रप भी, जहाँकि फलावर वैड्स नहीं है, ज्यादा चार्ज किया जाता है ?

**Shri Buragohain:** I do not think there is any such charge for the North and South Avenue flats. These are being levied for bungalows.

**Mr. Speaker:** We will go to the next question. Now, he may put question No. 2039.

**The Minister of Rehabilitation (Shri A. P. Jain):** I am very sorry, Sir: I must apologise to you and to the House. My car developed trouble on the way and I was late by a minute.

#### COLONIES FOR DISPLACED PERSONS

\*2039. **Shri S. C. Samanta:** Will the Minister of Rehabilitation be pleased to state:

(a) how many colonies have been established up to 31st March, 1952, for displaced persons from East Pakistan;

(b) the number of houses completed in those colonies;

(c) the number of houses under construction;

(d) how the general policy adopted in the Eastern Zone as regards house-building differs from the policy adopted in Western Zone;

(e) the number of houses so far built in Eastern and Western Zones; and

(f) the number of houses under construction in the Western Zone?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) 422.

(b) 56,422.

(c) 17,585.

(d) The general policy in the Eastern Zone is to allot developed plots to displaced persons and to give them housing loans for building the houses themselves. Comparatively a smaller number of houses has been built in this region by the Government. In the Western Zone, housing schemes have mostly been implemented by Government, but the agency of housing co-operative societies and individual displaced persons has also been utilised by giving them developed plots and building loans.

(e) As stated in reply to Part (b) 56,422 houses have been completed in colonies of displaced persons in Eastern

Zone. Government are not aware of the number of houses constructed by displaced persons outside these colonies. In the Western Zone, the number of houses constructed upto 1st April, 1952 is 93,203.

(f) 17,047. In addition, 37,000 plots have been allotted to displaced persons for private construction of houses.

**Shri S. C. Samanta:** With reference to parts (b) and (c) of the answer, may I know how many houses were built or are under construction by the Government itself?

**Shri A. P. Jain:** At present, no houses are under construction by the Government. As regards the number of houses that have already been built by Government, I should require notice.

**Shri S. C. Samanta:** May I know whether Government has in contemplation any scheme that four-storeyed buildings will be built in the old Alipore Aerodrome and each flat will be charged Rs. 1200 for rent purposes?

**Shri A. P. Jain:** The question of putting up buildings on the site occupied by the Alipore Aerodrome is under consideration. Beyond that, I am not prepared to commit myself.

**Shri S. C. Samanta:** May I know how many squatters' colonies have been removed and other colonies constructed for them?

**Shri A. P. Jain:** No squatters' colony has so far been removed. In regard to squatters' colonies, the policy is that where the value of the land to which the squatter is entitled to be allotted, if he was a regular allottee, is below a certain ceiling limit in value, that colony will be regularised and the land acquired there.

**Shri S. C. Samanta:** We were informed that Rs. 500 were given as housing loan for building on the site. May I know whether Government would consider the desirability of increasing the amount as it is impossible to construct a house for Rs. 500.

**Shri A. P. Jain:** In the rural areas, a sum of Rs. 500 is given for the construction of a house. Besides, a sum of Rs. 75 is given for the purchase of a site. That amount is quite sufficient to put up a single room hut in the rural areas.

#### IONOSPHERIC STUDIES

\*2041. **Shri S. C. Samanta:** (a) Will the Minister of Information and Broadcasting be pleased to state what are the results of the studies made by the Research Department of the All-India Radio in 1951-52?

(b) Has special equipment for ionospheric studies been built up?

(c) If so, what was the cost involved and how is it working?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) A statement showing the results of studies made by the Research Department in 1951-52 is laid on the Table of the House. [See Appendix X, annexure No. 10].

(b) Yes. An automatic ionospheric recorder covering the range 0.5-20 Mc/S was built by the Research Department.

(c) The approximate cost of the components used is about Rs. 5000. The recorder is on field test and is working satisfactorily. The experience gained during the field tests indicates the desirability of some improvements which are being effected.

**Shri S. C. Samanta:** May I know, Sir, whether the equipment for testing the soil conductivity and atmospheric noise has been completed and how it is working?

**Dr. Keskar:** It is nearing completion. Sir.

**Shri S. C. Samanta:** May I know, Sir, what place India has acquired as a contributor to the world pool for the supply of ionospheric data?

**Dr. Keskar:** It is too technical a question for me to answer off-hand. If my hon. friend will put a specific question, I shall certainly give an answer.

**Shri S. C. Samanta:** My question was whether anything special has also been done in comparison with those instruments used in other countries.

**Dr. Keskar:** The equipment and the amount of money available for us to do research in this particular line, if it is compared with other countries which are doing the same thing, is very much less, and though whatever research we may have done has been not only of use to us, but some of the results of the experiments have been conveyed to people outside. I am not able to say off-hand what place it occupies in international experiments in the ionospheric sphere.

**Shri S. C. Samanta:** May I know, Sir, whether economy measures have in any way affected the experiments on ionosphere?

**Dr. Keskar:** Very much so, Sir.

INVITATIONS FROM CHINESE TRADE  
UNIONS

**\*2042. Shri K. Subrahmanyam:** Will the Prime Minister be pleased to state:

(a) whether any objection was raised by Government to the invitation by the Chinese trade union organisation of individuals chosen by the Communist Party of India for participation in the May Day celebrations at Peking; and

(b) if the answer to part (a) above be in the affirmative, whether the circle of invitees was widened so as to include other trade unionists at the instance of the Government?

**The Prime Minister (Shri Jawaharlal Nehru):** (a) and (b). As has already been stated previously, of 35 applicants from all trade union groups, 28 were issued passports. Two applied too late for consideration. Government do not know the political affiliation of many of the persons who applied for passports. Applications came on behalf of trade union organisations. Government did not make any suggestion as to which organisation should be invited nor was the circle of invitees widened or restricted at the instance of Government. Each person's case was considered on individual merits.

**Shri K. Subrahmanyam:** What is Government's policy in respect of invitations by foreign organisations to individuals in this country?

**Shri Jawaharlal Nehru:** To consider the cases individually.

**Shri K. Subrahmanyam:** Are the Government of India's representatives in other countries asked to report on the activities of such Indian invitees in foreign countries when they go out?

**Shri Jawaharlal Nehru:** When they go out?

**Shri K. Subrahmanyam:** When our people go on a visit to foreign countries, are our Ambassadors or Embassies asked to report over the activities of our people there in other countries?

**Shri Jawaharlal Nehru:** I do not know what the hon. Member means by report. We do not ask anybody for any report, but naturally, if any distinguished Indian goes anywhere, in the course of his fortnightly or monthly reports our Ambassador tells us, he went here, and whatever public activities he indulged in. We normally get to know of it, but there is no special enquiry about it.

**Shri K. Subrahmanyam:** Has any one carried on anti-Indian propoganda in foreign countries?

**Shri Jawaharlal Nehru:** Yes.

**Shri K. Subrahmanyam:** If so, who are they, when and where?

**Mr. Speaker:** Order, order.

**Shri Jawaharlal Nehru:** I do not think I can answer that question.

**Shri M. S. Gurupadaswamy:** May I know what is the meaning of individual merit.

**Mr. Speaker:** I think it is plain enough.

SALT

**\*2043. Dr. Ram Subhag Singh:** Will the Minister of Commerce and Industry be pleased to state whether it is a fact that the quota of salt exports from West Coast ports for the period May to December, 1952 has been doubled?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** Yes, Sir.

**Sardar Hukam Singh:** May I know whether sufficient quantity of salt for consumption by cattle has been first considered and kept apart before doubling this export?

**Shri T. T. Krishnamachari:** Sir, this quota for export is intended for a particular area, because Saurashtra salt is the only salt that is in demand. All relevant considerations have been taken into account before the export quota is allotted.

**Shri Dabhi:** What are the annual requirements of salt in our country and what is the total production?

**Shri T. T. Krishnamachari:** I am afraid, Sir, that falls within the category of subjects covered by the Production portfolio.

**Shri Nana Das:** May I know to which parts of the country salt is exported from the West Coast?

**Shri T. T. Krishnamachari:** Saurashtra salt, as I said, is in great demand even in certain parts of our own country such as U.P., Bihar, West Bengal, Nepal etc., but exports out of the country has been largely to Japan.

JUTE GOODS

**\*2044. Pandit M. B. Bhargava:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity and value of jute goods exported from India dur-

ing the year 1951-52 and how it compares with the exports figures of the year 1950-51;

(b) what was the total quantity and value of exports from India during the six months preceding the reduction in export duty; and

(c) the total value and quantity of exports from India after the reduction in duty and the reasons for reduced exports?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) The total quantity of jute goods exported from India during the year 1951-52, (April-March) was 8,08,985 tons valued at Rs. 270 crores against 6,48,844 tons valued at Rs. 114 crores in the same months of the year 1950-51.

(b) Total export during the six months preceding May 1952 when the last reduction in export duty took place was 3,92,600 tons valued at Rs. 118 crores.

(c) The quantity exported during May, 1952, was 69,818 tons valued at Rs. 14.99 crores. During June, 1952 66,690 tons valued approximately at Rs. 14 crores were passed for shipment. Though there was no reduction in respect of quantity there was a fall in value due to reduction in export duty and fall in prices.

#### REPORT ON BUILDING WORKS

**\*2045. Dr. Ram Subhag Singh:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the Committee of Experts for Building Works has submitted its Report; and

(b) if so, what are the chief features of that Report?

**The Deputy Minister of Works, Production and Supply (Shri Buragohain):** (a) Yes, Sir.

(b) Copies of the Report are available in the Library of the House. The Committee's main conclusion is that though traditional materials and building methods are generally most economical in this country traditional specifications tend to design over-safe and therefore uneconomic structures. The Committee has drawn up 7 model types of accommodation suitable for housing Government employees in different pay-ranges incorporating their ideas of utility scales of accommodation and design in an attempt to relate the capital cost of the building and its rent, the rent being kept as near as possible to the economic rent. The

Committee has also recommended the establishment of a National Building Organisation to collect, collate and disseminate technical information, as also the setting up of laboratories to test strength of materials and structures.

**Dr. Ram Subhag Singh:** In view of the fact that some of the recently constructed buildings in Delhi have proved to be very unsatisfactory, may I know, Sir, whether this Committee has also recommended about improving the standard of buildings which are going to be constructed in future?

**Shri Buragohain:** I have already said, Sir, that the Committee has recommended that here should be 7 types of residential accommodation suitable for housing Government employees in different pay-ranges. They have endeavoured to examine all the aspects of the problem involved and in recommending the types of houses they have paid attention to the following factors: (a) requirements of health and sanitation, (b) avoidance of discomfort and provision of amenities usually associated with living standards of the different income groups, and (c) relation between the capital cost of a building and its rent, the rent being as nearly as possible an economic rent in case of higher income groups. In case of lower income groups, however, the economic rent is higher than the rent actually recoverable.

**Dr. Ram Subhag Singh:** Has this Committee made any suggestions in regard to improving the standards of contractors?

**Shri Buragohain:** I do not think they have made any recommendation with regard to selection of contractors, but they have certainly suggested economies in the matter of modification of specifications. As an example, I might inform the hon. Member that recently we requested this Committee to go into the specifications and design of estimates made for certain constructions and after examining them they suggested an economy of 26.1 per cent.

**Shri M. L. Dwivedi:** May I know, Sir, if the report has been circulated to the States for the guidance?

**Shri Buragohain:** The position, Sir, is that after the report was published it was found out that certain parts of the report have been copied from other publications. The matter was taken up with the Secretary of the Committee and he has admitted to have copied like that, and now the report is being examined for redrafting. After it is done, it will be duly published. At the present moment, some copies are placed

in the Library of the House and it is only for official use.

**Shri A. C. Guha:** In view of the admission made by the Minister, has any action been taken on the members of the Committee or on the Secretary?

**Shri Buragohain:** The only thing, Sir, was that the Committee did not acknowledge this in their report. So if they now make an acknowledgement, I think it will be satisfactory.

**Shri U. M. Trivedi:** Was this Committee consulted when the North and South Avenue buildings were constructed?

**Shri Buragohain:** I am not quite sure, but I think, Sir, their advice was available also with regard to these constructions.

#### FRENCH POSSESSION IN INDIA

**\*2046. Dr. Ram Subhag Singh:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the question of holding a referendum to settle the future of French settlements in India has been shelved for the present by the French Government; and

(b) if so, what are the reasons therefor?

**The Prime Minister (Shri Jawaharlal Nehru):** (a) and (b). The Government have not received any information to this effect.

**Dr. Ram Subhag Singh:** May I know, Sir, whether it is a fact that conditions in French Settlements in India have considerably deteriorated during the recent months for holding a referendum?

**Shri Jawaharlal Nehru:** Yes, conditions have deteriorated. They have been in a deteriorated condition for a considerable time.

**Dr. Ram Subhag Singh:** May I know, Sir, what are the reasons for this deterioration and how do Government expect to improve them?

**Shri Jawaharlal Nehru:** These are reasons internal to the French Settlements. I have already answered at some length some questions and quoted from a report by certain neutral observers who went there.

डा. रामनारायण सिंह : फ्रेंच सरकार  
से रिफरेंडम के बारे में प्रधान मंत्री कोई  
लिखा-पढ़ी करते हैं कि नहीं, अगर करते  
हैं तो उस का फल क्या होता है ?

श्री जवाहरलाल नेहरू : जो हां, कुछ  
बीज बोये थे लेकिन अभी तक दस्त  
निकले नहीं हैं ।

**Shri P. T. Chacko:** May I know, Sir, whether the transfer of Chandernagore is completed, and if so, how the administration is carried on there at present?

**Shri Jawaharlal Nehru:** Yes, the *de facto* transfer of Chandernagore took place sometime ago and the *de jure* transfer took place only a short while ago. Immediately after that the existing administration of Chandernagore—some kind of a Municipal administration—became *functus officio* in law and for the moment the Administrator is carrying on pending fresh elections.

**Shri A. C. Guha:** May I know, Sir, what is the future plan for Chandernagore—whether it will be integrated with West Bengal or kept as a separate unit?

**Shri Jawaharlal Nehru:** That I cannot say now, except that the people of Chandernagore will be consulted.

**Shri T. K. Chaudhuri:** May I know, Sir, how the matter stands at present with regard to Pondicherry.

**Shri Jawaharlal Nehru:** It stands where it was.

#### CEMENT

**\*2047. Shri Dhusiya:** Will the Minister of Commerce and Industry be pleased to state what quantity of cement Government propose to import this year and from where?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** The answer is in the negative.

#### EMPLOYEES' STATE INSURANCE

**\*2050. Pandit Munishwar Datt Upadhyay:** Will the Minister of Labour be pleased to state:

(a) in what places the scheme of Employees' State Insurance is to be implemented in the near future;

(b) what is the experience of the working of the scheme at Kanpur and Delhi; and

(c) how far the co-operation of the employers has been forthcoming?

**The Minister of Labour (Shri V. V. Giri):** (a) It is the present intention to implement the Employees' State

Insurance Scheme in the near future in Punjab and Greater Bombay.

(b) The working of the Employees' State Insurance Scheme in Delhi and Kanpur has been, on the whole, satisfactory. Insured persons are at present entitled to medical care and treatment. Cash benefits in case of sickness and maternity will start from the 22nd November 1952 in Delhi and Kanpur. The employees are increasingly realising the advantages of the scheme and constant efforts are being made to improve the service, wherever necessary.

(c) Employers have been, on the whole, co-operating in running the scheme on proper lines, not only in Delhi and Kanpur, but also in the rest of the country, where special contributions are payable under the Act.

**Pandit Munishwar Datt Upadhyay:** May I know, Sir, what was the financial contribution Government had to make towards working the scheme in Delhi and Kanpur?

**Shri V. V. Giri:** I think it is 5 per cent.

**Pandit Munishwar Datt Upadhyay:** I wanted the amount, Sir.

**Shri V. V. Giri:** I am not sure; I have not got that exactly, in my note. I shall find out.

**Pandit Munishwar Datt Upadhyay:** What is the principle that is followed in selecting industries or localities for the application of this scheme.

**Shri V. V. Giri:** In fact, certain industries are fixed up for the application of this scheme. At the present moment, as I have stated, Kanpur and Delhi are selected and it is proposed to add the scheme introduced by August 1952 in the Punjab, January 1953 in Bombay and Bangalore, July 1953 in Madras, Calcutta, Nagpur and Jubbulpore, October 1953 in Ahmedabad, Sholapur, Agra, Coimbatore, Asansol and Burnpur, April 1954 all the other places where the number of industrial workers is 5000 or above and by July 1954, at the remaining centres.

**Pandit Munishwar Datt Upadhyay:** What was the consideration for selecting these localities or these industries?

**Shri V. V. Giri:** Because there are workers more than 5000 and they are important centres.

**Shri H. N. Shastri:** Have cases been brought to the notice of the Government in which employees who do not get medical facilities in the hospitals or dispensaries under this scheme are

made to pay from their own pocket in spite of the contribution they have been making?

**Shri V. V. Giri:** I shall make enquiries.

**Shri H. N. Shastri:** Are the Government aware that since the introduction of this scheme the leave facilities of workers in various undertakings in Kanpur and also in Delhi have been adversely affected and the employers in order to evade the operation of that Act have been trying to curtail the leave facilities of the workers?

**Shri V. V. Giri:** Government are aware and we are dealing with the question.

**Shri Nana Das:** May I know, Sir, whether the Government propose to introduce the scheme in the State of Madras this year?

**Shri V. V. Giri:** The date has been fixed for Madras and we are in constant consultation with the Madras Government and we hope by that date the scheme will be introduced there.

FINANCIAL ADVISER TO HIGH COMMISSIONER IN LONDON

\*2051. **Shri M. S. Gurupadaswamy:** Will the Prime Minister be pleased to state:

(a) whether the Financial Adviser attached to the High Commissioner in London is an officer subordinate to him; and

(b) what action Government have taken in regard to the recommendation of the Public Accounts Committee?

**The Prime Minister (Shri Jawaharlal Nehru):** (a) The Financial Adviser to the High Commissioner for India in London is subject to the administrative control of the High Commissioner.

(b) Instructions based on the general recommendations of the Public Accounts Committee are being issued to all the Indian Missions abroad for compliance and future guidance.

**Shri Gurupadaswamy:** May I know, Sir, whether the Financial Adviser has powers to scrutinise the various proposals from the purely financial point of view?

**Shri Jawaharlal Nehru:** That is what the Financial Adviser is therefor.

**Shri M. S. Gurupadaswamy:** May I know, Sir, in what cases the opinion of the Financial Adviser was not taken and acted upon by the High Commissioner?

**Shri Jawaharlal Nehru:** How can I give that information? It is too wide.

**Shri Velayudhan:** May I know, Sir, whether the Financial Adviser has any check-up of the stock purchases in London? Has he any control or supervision or anything like that?

**Shri Jawaharlal Nehru:** I am afraid I could not answer that question.

#### EXPORT OF MONKEYS

**\*2052. Shri Dabhi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that thousands of monkeys are exported from India every year;

(b) if so, the names of those projects and the amount given for each project yearwise and the terms on which the amount was given; and

(c) what is the average annual income from the export trade in monkeys and who received it; and

(d) to which countries are these monkeys exported?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) Yes, Sir.

(b) Scientific research.

(c) The average annual export in the last three years is about Rs. 2 lakhs. As monkeys were exported through the trade their value was received by the exporters.

(d) Monkeys are exported mainly to U.S.A., U.K., Italy, Denmark and Netherlands.

**Shri Dabhi:** May I know, Sir, whether it is a fact that these monkeys are exported for the purpose of vivisection—

**Shri T. T. Krishnamachari:** All the information that I have in my possession is that they are exported for purposes of scientific research.

**Shri Dabhi:** Are Government aware of the fact that this vivisection of animals is a most inhuman method and nave Government thought of prohibiting export of monkeys?

**Shri T. T. Krishnamachari:** I am unable to express any opinion on the first part of the question; the answer to the second part, therefore, does not arise.

**श्री. पटेरिया :** यह बन्दर बाहर भेजने का काम सरकार कब से कर रही है ।

**Shri K. K. Basu:** Has the Government got any machinery to check up whether the monkeys are properly utilised in the countries where they are taken?

**Mr. Speaker:** Next question.

#### CONTRIBUTIONS FOR PROJECTS IN MADHYA PRADESH

**\*2053. Shri Jasani:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any amount has been contributed by the Government of India to Madhya Pradesh Government within the four years ended on 31st March, 1952 by way of loan grant or otherwise for the development of industrial and power projects;

(b) if so, the names of those projects and the amount given for each project yearwise and the terms on which the amount was given; and

(c) the progress so far made by these projects?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) Yes, Sir.

(b) and (c). A statement is laid on the Table of the House. [See Appendix X, annexure No. 11].

**Shri Jasani:** Sir, in the statement it is mentioned that a sum of 4 crores and 40 lakhs of rupees has been given to the Madhya Pradesh Government for the development of electricity projects and industrial projects. This includes the establishment of an aluminium factory. May I know what progress has so far been made in the establishment of the aluminium factory?

**Shri T. T. Krishnamachari:** I require notice.

**Shri Jasani:** Is it a fact that machinery worth more than 80 lakhs of rupees meant for the aluminium factory is lying unutilised at Chamrpa?

**Shri T. T. Krishnamachari:** Notice.

**Shri Jasani:** Is it a fact that the Madhya Pradesh Government has asked for the building of a railway line from Chamrpa to Korba for the establishment of this aluminium factory which was promised by the Central Government.

**Shri T. T. Krishnamachari:** I am afraid, Sir, in regard to all these matters connected with the aluminium factory, I require notice.

**Dr. P. S. Deshmukh:** Are there any proposals from the Madhya Pradesh Government pending consideration with

the Ministry of Commerce and Industry?

**Shri T. T. Krishnamachari:** May be, Sir. But I am not able to say what those proposals are.

**Shri Sarangadhar Das:** May I know, Sir, if in granting these loans and grants for development to States, the Central Government has any machinery to supervise and see if the money is being properly utilised?

**Shri T. T. Krishnamachari:** The Central Government have got many facilities to ascertain whether these moneys are properly utilised, because I think there is constant consultation communication between the Finance Ministry and the various State Governments who want money. So naturally the Finance Ministry has control. Besides there is the over-all control of the Auditor General which the hon. Member perhaps knows about.

**Shri Jasani:** May I know whether the Central Government has verified the cost of production of electricity schemes and, if so, may I know what will be the cost of the electricity per unit?

**Shri T. T. Krishnamachari:** Actually, if there is any vetting to be done in regard to the cost of these schemes, I think the proper authority would be the Central Electricity Authority with the Government of India. My Ministry has no information on that point.

**Shri Jasani:** May I know whether for the starting of the Nepa Mills the State Government is experiencing the difficulty of lack of raw materials?

**Shri T. T. Krishnamachari:** That question in regard to Nepa Mills has been answered on a previous occasion here. If the hon. Member would please go into the records of questions answered in this House he will find adequate information.

**Shri Jasani:** But there is no answer given about raw materials.

**Mr. Speaker:** He refers particularly to the want of raw materials.

**Shri T. T. Krishnamachari:** I do not know if I am answering that question today or I have answered it already, but I do recollect having answered a question on this particular matter. In regard to the use of raw materials expert advice has been sought and it is now available. I think it is for the Madhya Pradesh Government to move in the matter. If the Government of India have to render them any assistance I am sure they would.

#### BALL BEARINGS

**\*2054. Shri A. C. Guha:** Will the Minister of Commerce and Industry be pleased to state:

(a) the average annual production of ball-bearings in India;

(b) the units manufacturing them; and

(c) the average annual requirements?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):**

(a) Production started in August 1950. In 1951, the production was 234,383 numbers.

(b) Messrs. National Bearing Co., Ltd., Jaipur only.

(c) About one million numbers.

**Shri A. C. Guha:** Is it true that the Government received some ball-bearing machinery from Germany as reparations and, if so, may I know what has been done with it?

**Shri T. T. Krishnamachari:** I require notice.

**Shri A. C. Guha:** In view of the fact that this is one of the most essential articles for engineering and industrial concerns, what steps do Government intend to take for its increase in production?

**Shri T. T. Krishnamachari:** The capacity of this particular industry which I have mentioned is higher than what it produces now. It is being encouraged to produce more. Also, at the moment the Tariff Commission is considering the question of giving protection to this industry.

**Shri M. L. Dwivedi:** May I know whether Government is giving any kind of Tariff assistance to the industry?

**Shri T. T. Krishnamachari:** I have said that the Tariff Commission is considering the question.

**Shri T. S. A. Chettiar:** May I know the total capacity of this plant?

**Shri T. T. Krishnamachari:** It is somewhere between 500,000 and 600,000.

**Shri Thanu Pillai:** In view of the fact that the industry's capacity is only about 25 per cent. of our requirements, if tariff protection is extended to this industry will it not mean hardship to the consumer to the extent of the other 75 per cent.?

**Mr. Speaker:** I think he is asking for an opinion.

**Shri Radha Raman:** Is it a fact that some units had to close down recently?

**Shri T. T. Krishnamachari:** According to my records the only unit which produces ball-bearings is the National Bearing Co. Ltd., of Jaipur. That is in production at present.

**Shri A. C. Guha:** May I know if this Company has received any help from the Government and, if, so on what terms?

**Shri T. T. Krishnamachari:** If the hon. Member means financial help, I do not think so.

**Shri A. C. Guha:** Has the reparations machinery been given to them?

**Shri T. T. Krishnamachari:** Again I would require notice if the reference is to the reparations machinery.

#### INSULATED COPPER WIRES

**\*2055. Shri A. C. Guha:** Will the Minister of Commerce and Industry be pleased to state:

(a) the annual production of insulated winding copper wires in India;

(b) the units producing these; and

(c) the average annual requirements?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) 296 tons in 1951.

(b) M/s. Indian Cable Co. Ltd., Tatanagar and M/s. National Insulated Cable Co. of India Ltd., Shamnagar.

(c) 1,400 tons.

**Shri A. C. Guha:** May I know if the Government has got any terms to help these companies or any of them?

**Shri T. T. Krishnamachari:** I would like that question to be elucidated, Sir, I do not know what terms the hon. Member has in mind.

**Shri A. C. Guha:** Have the Government rendered any help to the Indian Cable Company and on what terms?

**Shri T. T. Krishnamachari:** If the help is by way of technical assistance, help in the procurement of raw materials, grant of import licences; the Government are continually rendering them all help. If the hon. Member has in mind anything else, I am unable to answer that just now.

**Shri K. K. Basu:** May I know whether the National Insulated Cable Co. is an Indian Company or a British Company incorporated in India?

**Shri T. T. Krishnamachari:** I would require notice.

#### FAMILIES SETTLED IN ANDAMAN AND NICOBARS

**\*2056. Shri Balmiki:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of families settled in the Andaman and Nicobar Islands in 1951-1952; and

(b) the facilities given to them?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) 90 families.

(b) 25 families were advanced loans at the rate of Rs. 2,000 per family for house building, bullocks, agricultural implements, seeds, maintenance and passage etc. They were also given 10 acres of land per family and exempted from land revenue for 2 years. Facilities for cutting timber free of cost from Government forests for construction of houses were also given to them.

The remaining 65 families were advanced loans at the rate of Rs. 1,500 per family for maintenance, house building and trade. Each family was also given a plot of land measuring 1/3rd of an acre for the construction of a house.

**श्री बाल्मीकी :** इन पुरुषार्थी फ़ैमिलीज को बसाने में अब तक सरकार को कितना खर्चा करना पड़ा है ?

**श्री ए० पी० जैन :** यह तो मैं नहीं कह सकता कि कितना खर्चा अभी तक हुआ है, लेकिन ९० परिवार बसाये हैं, और ओसत खर्चा फ़ी परिवार करीब १५०० और २००० रुपये के बीच में है।

**श्री बाल्मीकी :** पूर्वी बंगाल से आये हुए पुरुषार्थियों की कितनी फ़ैमिलीज अब तक बसाई गई है ?

**श्री ए० पी० जैन :** यह तो आंकड़े में कई दफा दे चुका हूँ, ज़गनी तो मैं बिल्कुल ठीक ठीक नहीं बतला सकता, लेकिन यह करीब ४००-४५० परिवार होंगे।

**श्री बाल्मीकी :** अभी और कितनी फ़ैमिलीज को इस स्थान में बसाया जा सकता है ?

**श्री ए० पी० जैन :** वैसे तो वहाँ भूमि काफी है, लेकिन यह इस बात पर मुन्नहसिर करता है कि वहाँ पर हमें कितना जंगल रखना है, और कितनी भूमि हमें साफ़ करनी है। हमने एक योजना भी बनाई है जिसके अनुसार हमारी दो या तीन हज़ार परिवारों को बसाने की स्कीम है, लेकिन मैं अभी कह नहीं सकता कि वहाँ पर कितने परिवार बसाये जायेंगे।

**Shri Kakkan:** May I know whether the Government is having this plan on a permanent basis or on a temporary basis?

**Shri A. P. Jain:** On a permanent basis, Sir.

**Shri S. C. Samanta:** May I know how much sum has been set apart for the development of the areas where these displaced persons are living and how much for the reclamation of other places?

**Shri A. P. Jain:** In fact, the reclamation is done by the Home Ministry, and my Ministry sends only refugees for settlement there. We are giving a certain amount of assistance, about which I have given details in this House more than once.

**श्री पी० एन० राजभोज :** पिछड़ी हुई जातियों के वहाँ पर पूर्वी बंगाल से कितने लोग आये हैं, नै यह सवाल इसलिये पूछना चाहता हूँ, क्योंकि पूर्वी बंगाल में हम लोगों की काफी तादाद है ?

**Mr. Speaker:** The hon. Member need not give the reasons; he can just ask for information. What is the information which he requires?

**श्री पी० एन० राजभोज :** मैं मन्त्री महोदय से यह पूछना चाहता हूँ कि पूर्वी बंगाल से जो लोग इधर आये हैं, उन में हमारे अछूत भाइयों की क्या तादाद है ?

**श्री ए० पी० जैन :** इस विषय में हमारे पास कोई आंकड़े नहीं हैं जिनसे मैं उन अछूत भाइयों की तादाद बता सकूँ, हम अछूतों और दूसरी जातियों में कोई भेदभाव नहीं

रखते और सब को बराबरी का स्थान देते हैं।

**Shri A. C. Guha:** May I know whether any other families have gone there not on Government's initiative?

**Shri A. P. Jain:** Not to my knowledge.

**Shri M. R. Krishna:** May I know whether there were any requests from these families for more facilities?

**Shri A. P. Jain:** For those who go to Andamans, facilities are given on a much higher scale than for those going elsewhere.

#### SHELLAC AND RAW LAC

**\*2057. Shri Jasani:** Will the Minister of Commerce and Industry be pleased to state.

(a) how much raw lac was annually produced in India in the years 1949-50, 1950-51 and 1951-52 and in what States;

(b) how much of this produce was exported to foreign countries during this period in the shape of shellac and raw lac and to what countries;

(c) the amount of foreign exchange earned by the export trade of this commodity during this period; and

(d) the market prices of shellac and raw lac during the period mentioned above and the prices now prevailing?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) and (d). Two statements are laid on the Table of the House. [See Appendix X, annexure No. 12].

(b) and (c). Attention is invited to the printed publication "Accounts relating to the Foreign Sea and Air borne Trade and Navigation of India for March, 1952" which contains the required information.

**Shri Jasani:** May I know whether it is a fact that India produces a major portion of the world's consumption of lac?

**Shri Karmarkar:** I should like to find out what percentage we produce in this country.

**Shri Jasani:** From the statement I find that the price of lac is falling daily. May I know whether it is due to the foreign interests controlling the whole business here?

**Shri Karmarkar:** The demand for lac which had risen in India was owing

to the Korean situation. Now that demand is falling, and the prices also are falling down as a consequence.

**Shri Jasani:** Will the Government take steps to protest the business interests which do not get the full price for their commodities?

**Shri Karmarkar:** The price of this commodity depends upon the law of demand and supply, and Government have no appreciable control over it by which they can give them a higher price.

**Shri Dhusiya:** May I know what percentage of lac is consumed in India and in what industries?

**Shri Karmarkar:** A very unappreciable portion is consumed here, while a large quantity is exported outside.

**Shri Sarangadhar Das:** May I know what the Government are doing to encourage the expansion of the production of lac by the *Adbasis*?

**Shri Karmarkar:** We are not aware of the need for any protection as such, but if the hon. Member makes a suggestion, we shall consider it.

**Babu Ramnarayan Singh:** May I know whether the Government has got any control over the lac market and if so, may I know why there is so much fluctuation in prices?

**Shri Karmarkar:** We have every control but we have not been exercising any such control, because there has been no occasion for doing so inasmuch as the prices have always depended on the normal law of supply and demand. Government are interested in encouraging the production and rise in price of lac, because greater exports result in the Government getting foreign exchange and the people concerned getting more money.

#### PLYWOOD (IMPORT)

\*2058. **Shri Jasani:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of Plywood imported into India during 1949-50, 1950-51 and 1951-52;

(b) the quantity manufactured in India during the same period;

(c) whether any steps have been taken by the Government of India to give protection to this Industry; and

(d) if so, what are those?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) and (b). A Statement is laid on the Table of the House. [See Appendix X, annexure No. 13].

(c) Yes, Sir.

(d) Protection to the Plywood Industry was originally granted in September 1948 on the recommendation of the late Tariff Board up to 31st March 1950, by converting the then existing revenue duty of 30 per cent. *ad valorem* into an equivalent protective duty. Since then the period of protection has been extended till 31st December, 1952.

**Shri Jasani:** From the statement I find that we have imported in 1950-51 Rs. 50 lakhs worth of tea chests plywood, whereas in 1951-52 we have imported Rs. 1.42 crores worth of plywood. May I know what the reasons for this increase are?

**Shri T. T. Krishnamachari:** The reason must necessarily be the shortage of stock in this country, and the demand for it having increased.

**Shri Velayudhan:** May I know whether the hon. Minister is aware that most of the plywood for tea chests are imported from abroad, while there is a large stock available in India?

**Shri T. T. Krishnamachari:** That is not the information which my Ministry has.

**Dr. P. S. Deshmukh:** May I know whether there has been greater import into the country despite the granting of this protection?

**Shri T. T. Krishnamachari:** Obviously.

**Mr. Speaker:** The answers are being given inferentially and it would be better that notice is given for specific questions.

**Dr. P. S. Deshmukh:** My question is this, Sir. Has the import gone up after the granting of protection, and if so, what are the causes that have led up to it? When protection is granted, naturally we expect that there would be less imports. Therefore, I would like the hon. Minister to explain the position.

**Shri T. T. Krishnamachari:** The manner in which protection is given is by raising the duty. Here the duty is 30 per cent. *ad valorem*. Apparently, people who import these goods into this country find that they can import them at cheaper prices even after paying the 30 per cent. duty than what the cost of manufacture of the local product is. It may be that there are other

consideration as well, viz. the quality might be different. As you rightly mentioned, Sir, my answers to this sort of question can only be inferential and they cannot be definitive.

**Shri Pocker Saheb:** May I know the number of plywood factories in India, and also how many of them are situated in South India?

**Shri T. T. Krishnamachari:** I think there are about fourteen factories in Madras and Travancore-Cochin.

**Mr. Speaker:** He also wanted to know the total number in India.

**Shri T. T. Krishnamachari:** The total number is about sixty.

**Shri H. N. Mukerjee:** In view of the attitude of the British tea merchants, is it in the contemplation of Government to insist on Indian tea that is exported being packed in Indian-made plywood chests?

**Shri T. T. Krishnamachari:** I am afraid we have no such idea in contemplation.

**Shri Sarangadhar Das:** May I know what the Government is doing to improve the quality, for I understand from the inferential replies of the hon. Minister, it is the quality that puts the Indian product at a disadvantage?

**Shri T. T. Krishnamachari:** I can tell my hon. friend that yesterday I received a deputation of plywood manufacturers engaged in the manufacture of tea chests and I can assure him that when that deputation left they left perfectly satisfied with the attitude of Government. What we do is this. We have an Inspectorate and the manufacturers submit their goods to be inspected by Government. The reports generally are that the output is satisfactory now. I saw a report by a Tea Association which is predominantly European which says that the quality of Indian tea chests has materially improved and the rejections are very low. The position now is that about 70 per cent. of the needs of the tea industry are being supplied by Indian plywood manufacturers.

#### SPARE PARTS OF TRACTORS

\*2059. **Shri L. N. Mishra:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is obligatory on the part of tractor importing concerns to import spare parts also for the tractors; and

(b) if so, what steps Government propose to take against those concerns that have failed to import spare parts and have rendered many tractors to remain out of use for want of spare parts?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) and (b). I take it that this question refers to 'Agricultural Tractors'. It is incumbent on the importers to arrange supplies of spare parts to the extent of 15 per cent. of the value of tractors imported. Those who fail to do so without proper justification, are debarred from getting any further licences for tractors.

**Shri L. N. Mishra:** May I know whether the attention of the Government of India has been drawn to the fact that a large number of heavy tractors of the Government of Bihar which are used for the purpose of wasteland reclamation are not working properly because of failure of the tractor importing concerns to supply spare parts and necessary attachments.

**Shri T. T. Krishnamachari:** This is the first time that I have heard this complaint.

**Shri L. N. Mishra:** May I know whether some restrictions have been imposed on the import of tractors from the U.S.A. and special facilities are afforded for the import of tractors from the continental countries?

**Shri T. T. Krishnamachari:** I am unable to answer this specific question excepting to say that the policy of the Government is as far as possible to encourage imports from non-dollar areas so as to save our dollar exchange.

**Shri L. N. Mishra:** Are Government aware of the fact that tractors from Czechoslovakia have proved unsuitable for Indian soil and cultivation?

**Shri T. T. Krishnamachari:** I can take that information from the hon. Member.

**Shri Raghavaiah:** May I know whether it is a fact that the Government have restricted the sale of U.S.S.R. tractors in the Bombay Industrial Exhibition on the plea that spare parts are not available for them?

**Shri T. T. Krishnamachari:** I require notice.

**Shri K. G. Deshmukh:** With reference to the answer given by the hon. Minister that the Government take

action against importers who do not take 15 per cent. of the spare parts, may I know what exact action is taken and in how many cases have the licences been cancelled?

**Shri T. T. Krishnamachari:** I require notice.

**Shri T. S. A. Chettiar:** We understood that the Government were encouraging the manufacture of spare parts in India. Will not this compulsion that a certain percentage of the foreign spare parts must be taken discourage the manufacture of spare parts in this country?

**Shri T. T. Krishnamachari:** It is a question of timing. If there are a large number of tractors in this country, even this 15 per cent. of the spare parts may not cover their needs. So, the local manufacturers of spare parts are encouraged. But so as to provide the minimum quantity necessary for keeping the tractors going, Government insist on 15 per cent. of the spare parts being imported by tractor importers.

#### HINDUS IN EAST BENGAL

\*2060. **Shri A. C. Guha:** Will the Prime Minister be pleased to state:

(a) whether there have been any reports in recent weeks of any discriminatory and unfair treatment towards the Hindus of East Bengal; and

(b) if so, (i) in what particular areas (ii) of what form and nature, and (iii) the action taken by the Government of India in the matter?

**The Parliamentary Secretary to the Prime Minister (Shri Satish Chandra):**  
(a) Yes.

(b) (i) Chiefly from the Districts of Khulna, Bakarganj, Faridpur and Sylhet, where economic conditions are said to be deteriorating.

(ii) (1) There are reports of discrimination in the grant of relief to distressed Hindus from Government relief funds.

(2) There have been reports that in Sylhet District, non-Muslim tea labourers are not being enrolled in the draft electoral rolls.

(3) Pressure is brought to bear upon employers not to employ non-Muslims in business concerns.

Apart from this, the old complaints of discriminatory measures continue, more specially in regard to requisitioning of houses.

(iii) Specific instances of discrimination and unfair treatment are taken up with the Government of Pakistan.

**Shri A. C. Guha:** Is the Government aware that very recently some circular has been issued to the Ansars indirectly to work against the Hindus, particularly in view of the coming elections?

**Shri Satish Chandra:** I am not aware of any such circular having been issued to the Ansars, but it is a fact that there has been some harassment of the Hindu minority at the hands of these Ansars.

**Shri A. C. Guha:** The Minister has stated that even in the distribution of relief in distressed areas there has been discrimination against the Hindus. May I know if the Government of India has drawn the attention of the Pakistan Government specially to this state of affairs?

**The Prime Minister (Shri Jawaharlal Nehru):** The hon. Member is aware that we are continually in touch with the Pakistan Government through our High Commissioner and our Ministers. Normally, it is rather difficult officially to take any action in regard to the internal working in the other State, but the Ministers I believe do draw attention to these facts from time to time.

**Shri A. C. Guha:** May I know whether the Government has drawn the attention of the International Red Cross Society or its Indian Branch to render relief to the distressed Hindus there?

**Shri Jawaharlal Nehru:** No, Sir. I do not think it would be proper at all to ask an international relief society to give relief outside our own territory. It is not normally done.

**Shri A. C. Guha:** The international Red Cross Society has been rendering relief to the distressed people all over the world. So the Indian Red Cross Society may take up the matter with the International Red Cross Society.

**Shri Jawaharlal Nehru:** The Red Cross, both Indian and International, are not an official body. They may privately help and they have given a great deal of help.

**Dr. N. B. Khare rose—**

**Mr. Speaker:** The question-hour is over.

## WRITTEN ANSWERS TO QUESTIONS

## RATIONALISATION OF JUTE MILLS

**\*2048. Shri B. K. Das:** Will the Minister of Commerce and Industry be pleased to state:

(a) the number of jute mills which have adopted any programme of rationalisation of their mills;

(b) the total additional investment made by them for the purpose; and

(c) the increase in out-put and the decrease in cost envisaged?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):**

(a) to (c). "Rationalisation" ordinarily refers to an examination of the production technique in a factory with a view to eliminating surplus labour, waste of material etc. Such examination is always going on in jute mills. From parts (b) and (c), however, it appears that the hon. Member is referring to "modernisation" to which a certain amount of public attention has been drawn recently. While some mills have adopted a policy of modernisation of their machinery it has not yet been completed. A better idea about modernisation can be obtained by my indicating that modern machinery has been installed or is on order in respect of about 9.8 per cent. of the total loomage of the mills in the Indian Jute Mills Association. The investment so far made or proposed is estimated at Rs. 5 crores. Modernisation, however, is not so much intended to increase the total output as to reduce the cost of production. The saving in cost to mills as a result of complete modernisation of preparing and spinning machinery is estimated at 10.5 per cent. of their annual expenditure.

सामूहिक विकास योजना के अधीन स्वास्थ्य तथा मनोरंजन केन्द्र

**\*२०४९. सेठ गोविन्द दास क्या योजना** मन्त्री यह बतलाने की कृपा करेंगे कि सामूहिक विकास योजना (स्वास्थ्य तथा मनोरंजन केन्द्र) के अधीन उन स्थानों पर क्या क्या विशेष सुविधायें दी जायेगी, जहाँ एक हजार से अधिक मजदूरों को काम करना पड़ता है और बड़ी ही कठिन स्थिति में रहना पड़ता है ?

**The Minister of Planning and Irrigation and Power (Shri Nanda):**

Schemes are to be framed after a survey of the areas. The health programme is intended to provide for a primary health centre in each *mandi* unit, and a mobile health unit, as well as a secondary health centre at the Headquarters of the Project area.

There will also be a community recreation centre at each *mandi* unit.

## ALL INDIA BLIND RELIEF SOCIETY

**\*2061. Shri Raghavaiah:** Will the Minister of Labour be pleased to state how much amount as grant-in-aid is sanctioned by the Government of India to the All India Blind Relief Society for the year 1951-52?

**The Minister of Labour (Shri V. V. Giri):** A sum of Rupees Five thousand was given by the Central Government to the All India Blind Relief Society in 1951-52. In addition, the Coal Mines Labour Welfare Fund and the Mica Mines Labour Welfare Fund sanctioned grants of Rs. 4,000 and Rs. 1,000 respectively.

## RAW RUBBER (PRICES)

**\*2062. Shri A. M. Thomas:** Will the Minister of Commerce and Industry be pleased to state:

(a) what were the principles on which Government based the current prices of raw rubber; and

(b) till what date Government propose to continue the present rate?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) The current prices of raw rubber were fixed on the recommendations of the Indian Tariff Board. The principles followed by the Board in determining the cost of production of rubber are given in paragraph 15 of their Report.

(b) Till the Tariff Commission, which is considering the question of a revision in price, has reported, it will not be possible to say for how long the present date, will continue.

## RUBBER PRODUCTION

**\*2063. Shri B. N. Roy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether production of rubber in India is sufficient for the requirements of the country; and

(b) if not, what are the steps taken by Government for the development of Rubber Industry?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) No, Sir.

(b) Government have under consideration a development scheme for the rubber plantation industry which, when implemented, is expected to yield more raw rubber than is at present consumed in the country. Meanwhile, Government is encouraging growers to expand production by replanting their estates with high yielding clones, and is extending to them the benefits of modern research through the Rubber Development Commissioner.

#### AGRICULTURAL LABOUR ENQUIRY

**\*2064. Shri H. S. Prasad:** Will the Minister of Labour be pleased to state:

(a) when the report of the Agricultural Labour Enquiry will be published;

(b) the strength of the staff employed by Government for the purpose of the enquiry;

(c) the number of employees from among those referred to in part (b) above provided with alternative appointments; and

(d) the plan of Government for absorbing the remaining staff after the completion of the work connected with the Agricultural labour Enquiry?

**The Minister of Labour (Shri V. V. Giri):** (a) Reports on the preliminary agricultural labour enquiry conducted in villages Vandalur, Dorwan, Archikarahalli, Brindabanpur, Khapri, Magurpara, Khuntuni and Khalispur have already been published. The report on the first stage of the main enquiry to be published as a monograph entitled 'Agricultural Wages in India' is under print. The report on the General Family Survey is now under preparation. The report on the Intensive Family Survey will be taken up after the tabulation of the data, which is in progress, is completed by the Army Statistical Organisation.

(b) 482—including 30 Gazetted and 100 class IV Officers.

(c) 200 persons have either been reverted to the State Governments or absorbed elsewhere. A few persons are still in position at the Headquarters of the Agricultural Labour Enquiry. Information regarding others is not available.

(d) Offices attached to the Ministry of Labour and State Governments have been requested to consider the cases of these persons in preference to pure

outsiders, for posts where the previous experience of these persons will be of advantage and provided they are otherwise eligible and suitable.

#### DISPLACED PERSONS FROM FACTORY ROAD BARRACKS

**\*2065. Sardar Hukam Singh:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether any displaced persons have been evicted recently from Factory Road Barracks in New Delhi by the Estate Officer; and

(b) whether any alternative accommodation has been provided for them?

**The Deputy Minister of Works, Housing and Supply (Shri Buragohain):** (a) Yes, Sir.

(b) Seven families, who were entitled to such accommodation, have been provided with alternative accommodation.

#### SWINE HAIR INDUSTRY

**\*2066. Shri Ganpati Ram:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that swine hair industry has been developed after 1947 onwards;

(b) if so, which of the States have larger scope to develop this industry; and

(c) which of the foreign countries import such hair and export the finished goods to India and what is the total amount of import in 1949-50, 1950-51, 1951-52 and 1952-53 and percentage of increase or decrease per year?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):**

(a) If the hon. Member has in mind the Pig Bristles Industry it might be stated that the industry was in existence even before 1947.

(b) Uttar Pradesh, Madhya Pradesh, Madras, Bihar, Assam and Orissa.

(c) A statement is laid on the Table of the House. [See Appendix X, annexure No. 14.]

#### RAW HIDES (EXPORT)

**\*2067. Shri Ganpati Ram:** Will the Minister of Commerce and Industry be pleased to state:

(a) how much raw hides were exported from India to foreign countries from January, 1952 to April, 1952 to-

gether with the names of the countries to which they were exported; and

(b) whether it is a fact that the export of raw hides has decreased since 1949 onwards and if so, by what per cent. per year?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) 45 tons of raw hide were exported to Turkey and Western Germany from January, 1952 to April 1952.

(b) As compared to 1949, exports of raw hide decreased by 20 per cent. in 1950 but increased by 100 per cent. in 1951. They are not allowed now.

#### TRACTOR MANUFACTURE

**\*2068. Shri B. N. Roy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the capital invested in the industry of tractor manufacture is Indian; and

(b) if not, what is the percentage of Indian and foreign capital invested in it?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) and (b). So far only three firms have indicated their intention to start manufacture of tractors in India. Of these two have wholly Indian capital. The third firm, who have also manufacturing programme for automobiles and other products besides tractors, have 6.7 per cent. foreign capital.

#### INDIAN CULTIVATORS IN NEPAL

**\*2069. Shri B. N. Roy:** Will the Prime Minister be pleased to state:

(a) whether the Government of Nepal allow the Indian citizens who have their cultivation in Nepal to import paddy or rice from that country to India; and

(b) if not, what are the steps taken by the Government of India to safeguard the interests of Indian cultivators in Nepal?

**The Parliamentary Secretary to the Prime Minister (Shri Satish Chandra):** (a) and (b). The Indian Embassy in Nepal has recently received a representation from certain Indians that they are experiencing some difficulties in getting into India rice grown in their lands in Nepal. The Embassy has approached the Government of Nepal in the matter.

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#### VERIFICATION OF CLAIMS

**\*2070. Sardar Hukam Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that claims are distributed among claims officers according to location of property in Pakistan, that is, claims of persons residing in a town or District in India are sent to one or more claims officers of that locality; and

(b) whether it is a fact that very often these claims officers have to go on tour to very distant places and for a very short time as the claims they have to verify are few in number and are of a very small amount?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) Yes.

(b) No.

#### ELECTRICITY FROM FARIDABAD

**\*2071. Shri Radha Raman:** Will the Minister of Irrigation and Power be pleased to state:

(a) when do Government expect to get electricity from Faridabad to meet the increased demand of New Delhi;

(b) which areas will be covered by this scheme; and

(c) whether it will serve Old Delhi also and if so, to what extent?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** (a) The Government do not now expect to get electricity from Faridabad.

(b) Does not arise.

(c) Does not arise.

#### RAW MATERIAL FOR NEPA MILLS

**\*2072. Shri K. G. Deshmukh:** Will the Minister of Commerce and Industry be pleased to refer to the answer to Starred Question No. 1203 replied on the 26th June, 1952 regarding Nepa Paper Mills and state:

(a) whether it is a fact that "bamboo", which is the main raw material in the manufacture of paper is not available nearby these Paper Mills;

(b) whether it is a fact that the pulp of other bamboo-like trees which are grown nearby these Paper Mills was sent to America for examination; and

(c) if the answer to part (b) above be in the affirmative, what is the examination report received by Government?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) No, Sir. Bamboos are available in large quantities in Madhya Pradesh.

(b) Yes, Sir.

(c) The examination report received by the National Newsprint and Paper Mills indicated that newsprint from salai wood and bamboo was a commercial possibility.

#### MYSORE BROADCASTING STATION

**\*2073. Shri Madiah Gowda:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the broadcasting station at Mysore is going to be transferred to Bangalore; and

(b) if so, when?

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) The present transmitter at Mysore will not be installed in Bangalore. A high power transmitter is proposed to be installed at Bangalore.

(b) The high power transmitter will be installed as soon as possible. It is high in the priority of the Five Year Development Plan.

#### MALARIA CONTROL UNDER IRRIGATION PROJECT

**\*2074. Shri Madiah Gowda:** Will the Minister of Irrigation and Power be pleased to state:

(a) what amount is estimated for anti-malarial measures under each of the major Irrigation Projects which are being executed at present; and

(b) whether the amount so set apart is considered sufficient for fully controlling malaria in the irrigated area under those projects?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** (a) and (b). The information is being collected and will be placed on the Table of the House as soon as possible.

#### PLANT AND EQUIPMENT FOR D.V.C.

**\*2075. Shri Krishna Chandra:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether his attention has been drawn to the following remarks in the Annual Report of Damodar Valley Corporation, Part one, on page 1.

"Orders for those (that is plant and equipment) were channelled through the Director General of Industries and Supplies, early in January, 1951, but

orders for the supplies were actually placed in June, 1951. This delay could not but adversely affect the construction schedule for the Konar Gravity Dam;

(b) what are the causes responsible for this delay in placement of the orders; and

(c) what action has been taken to ensure more promptness in such matters?

**The Deputy Minister of Works, Housing and Supply (Shri Buragohain):** (a) Yes, Sir.

(b) The position stated in the Report is not correct. There was no delay in placing the orders on the suppliers. Four indents were received by the D.G.S. and D. on the 4th January 1951, from the Damodar Valley Corporation. As the supplies were to be arranged from sources in Germany and Switzerland, as located by the Corporation's consultants, the indents were cross-mandated to the Director General, India Stores Department, London on 6th January 1951 i.e. within 48 hours. Three indents were covered in February and March 1951 after making the necessary enquiries through the Indian Embassies in Germany and Switzerland about the financial standing etc., of the firms selected by the Corporation. As regards the fourth indent, one of the items was subsequently cancelled. The remaining items were superseded by fresh indents placed by the Corporation on 12th March 1951 and 20th March 1951. Complete specifications had to be obtained from the Consultants and the items were then covered in June 1951.

(c) Does not arise.

#### COMMUNITY PROJECTS IN RAJASTHAN

**\*2076. Shri Balwant Sinha Mehta:** Will the Minister of Planning be pleased to state:

(a) when the Community Projects in Rajasthan are expected to begin; and

(b) what amount of money will be spent over them?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** (a) By 1st October, 1952.

(b) The estimated expenditure is Rs. 151.67 lakhs for three years.

#### BROADCASTING STATIONS FOR RAJASTHAN AND MADHYA BHARAT

**\*2077. Shri Balwant Sinha Mehta:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Government are aware that there is no Broadcasting Station

either in Rajasthan or in Madhya Bharat; and

(b) what steps are being taken by Government in the matter.

**The Minister of Information and Broadcasting (Dr. Keskar):** (a) Yes, Sir.

(b) Broadcasting stations are proposed at Jaipur, Jodhpur, Indore and Gwalior under All India Radio's Five Year Development Plan.

#### BHAKRA CANAL IN RAJASTHAN

\*2078. { **Shri Karni Singhji:**  
**Shri Jaipal Singh:**  
Will the Minister of Irrigation and Power be pleased to state:

(a) the progress of work on the Bhakra Canal in Rajasthan;

(b) the strength of the Engineering Staff employed on the Bhakra Canal in Rajasthan; and

(c) whether the Rajasthan Government have been given any loan by the Government of India for construction of the Bhakra Canal in Rajasthan?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** (a) A Note on the progress of Bhakra Project in Rajasthan for the period ending 31-5-1952 is placed on the Table of the House. [See Appendix X, annexure No. 15.]

(b) The strength of Engineering staff on Bhakra Project is as follows:—

Category	Sanctioned strength	Staff actually employed
1. Suptg. Engineer	1	1
2. Executive Engineers.	4	1
3. Assistant Engineers.	12	12
4. Overseers.	60	35

(c) Yes, Sir. The Government of India gave a loan of Rs. 20 lakhs to the Rajasthan Government for the purpose during the financial year 1951-52.

#### ISKAPALLI SALT FACTORY

\*2079. **Shri Nana Das:** Will the Minister of Production be pleased to state:

(a) what is the total extent of land occupied by Iskapalli Salt Factory in

Nellore District excluding the land in S. No. 1052; and

(b) what area thereof is suitable for raising food crops?

**The Minister of Production (Shri K. C. Reddy):** (a) Nil. The entire Salt Factory at Iskapalli lies within Survey Number 1052, the total extent of which is 1060.38 acres, out of which 438.80 acres are occupied by the Factory.

(b) Nil.

#### AREA UNDER SALT MANUFACTURE IN MADRAS

\*2080. **Shri Nana Das:** Will the Minister of Production be pleased to state:

(a) the total area of land under salt manufacture in the Madras State:

(b) the total area under private individual licensees;

(c) the total area under co-operative organisations; and

(d) the total number of individual licensees who have been allotted fifty and more than fifty acres of land?

**The Minister of Production (Shri K. C. Reddy):** (a) 18,930 acres under licensed manufacture. The extent of land under manufacture without licence is not known.

(b) 17,705 acres.

(c) 1,225 acres.

(d) 43.

#### SALT PRODUCTION

\*2081. **Shri Nana Das:** Will the Minister of Production be pleased to state:

(a) the total quantity of salt produced in India during the half year ended on the 30th June, 1952;

(b) what was the stock of salt as on the 1st January, 1952 in Andhra Districts of Madras State and what was the quantity produced during the half year ended on the 30th June 1952 in those Districts; and

(c) out of the total stock in Andhra what is the quantity that contained 94 per cent. of Sodium Chloride?

**The Minister of Production (Shri K. C. Reddy):** (a) 604 lakh maunds.

(b) The total stock in salt factories in the Andhra Districts was 35.5 lakh

maunds on 1st January 1952. Their total production during the half year ended 30th June 1952 was 36 lakh maunds.

(c) It is not possible to give this information as the analysis of all stocks is not yet complete.

#### PRICES OF INDIAN JUTE GOODS

\*2082. **Shri L. N. Mishra:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) whether Government are aware that jute goods are being offered to America from the Continent at rates lower than those quoted by India; and

(b) if the answer to part (a) above be in the affirmative, what are the reasons for the comparative high prices quoted by Indian traders?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) and (b). Indian Jute mills and Continental Jute mills are competing with each other in selling their products to the American market and it is but natural that the prices quoted by one may at times be lower than the other, depending on costs, nature and size of demand, ability to hold out for better prices and other similar factors.

#### TILAIYA PROJECT

\*2084. **Shri Telkikar:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) the number of villages required to be built for rehabilitating persons likely to be displaced by the Tilaiya Project under Damodar Valley Corporation;

(b) what will be the expenditure on the construction of the villages;

(c) is there any agricultural land under Tilaiya and other submergence areas under Damodar Valley Corporation; and

(d) whether Government have proposed to give the owners land or compensation in cash?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** (a) to (d). The information is being collected and will be placed on the Table of the House as soon as possible.

#### INTEGRATED RIVER PROJECT FOR SOUTH INDIA

\*2085. **Shri Kachiroyar:** Will the Minister of **Planning** be pleased to state whether Government have taken any steps by way of complying with

the request of the residents of South Arcot District mentioned in their memorandum presented to the Technical Committee on Irrigation of the Planning Commission when they visited Madras recently, regarding the integrated river project for South India and if not, the reasons thereof?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** The report of the Technical Committee has not been submitted to the Government.

#### EXPENDITURE ON INDIAN EMBASSIES

\*2086. **Shri K. Subrahmanyam:** Will the **Prime Minister** be pleased to state:

(a) whether any economy has been effected during 1951 in the expenses on Indian Embassies abroad;

(b) whether all the amenities formerly enjoyed by the late High Commissioner in London will be extended to the new incumbent of the office or whether austerity standards are going to be enforced;

(c) what is the money claimed by the High Commissioner in London for the payment of his medical bills during 1951; and

(d) whether there was any audit objection to the sanctioning of the claim?

**The Prime Minister (Shri Jawaharlal Nehru):** (a) A saving of Rs. 21,13,000 on the items for which provision was originally made in the Budget was made. Later, certain fresh decisions involving new financial commitments were taken. Among these were the effects of the re-fixation of the exchange rate between the Indian and Pakistani currency and a certain expansion of the External Publicity organisations. This additional expenditure amounted to Rs. 11,08,100. All this additional expenditure was met from the original sanctioned grant of Rs. 2,72,23,100. Even so, there was a net saving of Rs. 10,04,900 in the financial year 1951-52.

(b) Yes. The allowances we have thus far paid to the High Commissioner in London compared unfavourably with allowances paid to some other principal heads of missions. These have been brought in line with those of other heads of missions. The new High Commissioner is staying in our separate Embassy building which puts an additional burden upon him. Our directions to all our heads of missions are to maintain the responsibilities of their high offices with dignity, but without any lavishness or ostentation.

(c) and (d). No amount was claimed by the High Commissioner in London during 1951 for payment of his medical bills.

#### DISPLACED FAMILIES IN RAJASTHAN

**\*2087. Shri Karni Singhji:** Will the Minister of **Rehabilitation** be pleased to state:

(a) the number of displaced families rehabilitated in Rajasthan and in reference to Bikaner Division in particular;

(b) the amount of funds sanctioned in the current year to be advanced as loan for the construction of houses and shops for displaced persons in Rajasthan and Bikaner in particular;

(c) the total amount of funds which have been spent up to 1951-52 on relief of displaced persons in Rajasthan; and

(d) the number of families which have been enabled to construct houses for themselves with Government aid in Rajasthan and Bikaner Division in particular?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) About 62,000 families are settled in Rajasthan. Of them 47,000 are settled on land, including 16,000 in Bikaner. Of these settled in urban areas, about 10,000 have received loans from the Government and out of them 800 are in Bikaner.

(b) It is proposed to permit the Rajasthan Government to incur expenditure upto Rs. 38 lakhs for housing schemes for displaced persons during 1952-53.

(c) Rs. 173.21 lakhs.

(d) The information is being collected and will be laid on the Table of the House in due course.

#### DISTRIBUTION OF CONTROLLED CLOTH

**\*2088. Shri A. K. Gopalan:** Will the Minister of **Commerce and Industry** be pleased to state:

(a) if any definite plan has been laid down in the form of instructions for distribution of controlled cloth through licensed dealers;

(b) if so, what is it;

(c) are these binding on administrations in all States;

(d) whether the State Government are implementing these latest instructions; and

(e) whether the Himachal Pradesh Government has also implemented these instructions?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) and (b). The State Governments have been asked to grant licences for trading in cloth freely.

(c) They are binding unless there are strong reasons to the contrary in any particular State.

(d) The majority of State Governments have implemented these instructions.

(e) The Himachal Pradesh Government have imposed certain restrictions and the matter is under correspondence with that Government.

#### ISSUE OF NO DEMAND CERTIFICATES

**\*2089. Giani G. S. Musafir:** Will the Minister of **Works, Housing and Supply** be pleased to state:

(a) whether it is a fact that "No Demand Certificate" usually required in respect of a person proceeding on pension, is not issued by the Estate Office, New Delhi, for over six months, in certain cases;

(b) what are the circumstances due to which the issue of such a certificate is held up for such a long time; and

(c) in how many cases and under what circumstances there has been delay of more than two months in the issue of "No Demand Certificates"?

**The Deputy Minister of Works, Housing and Supply (Shri Buragohain):**

(a) It is possible, Sir, that in some exceptional cases, the issue of these certificates may have taken all this time.

(b) "No Demand Certificate" is issued after scrutinising the accounts of the person concerned for the entire period of allotment of Government residence to him, and after ensuring that all the amenities provided in the residence had been returned to the Central Public Works Department, and recovering the amounts due. This naturally takes some time, but with a view to avoiding hardship to Government servants caused by any delay in the issue of "No Demand Certificate", it was decided in February last that the payments due to the Government servants concerned should not be held up and that the offices concerned could proceed without obtaining a "No Demand Certificate", provided the person concerned furnishes a surety bond from a permanent Government servant.

(c) The required information is not readily available.

## FURNACE OIL

\*2090. **Dr. Amin:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Glass Industry using furnace oil as fuel has been hard hit as a result of the abnormal increase in the price of furnace oil from January 1952;

(b) whether Government have received any representation from the Industry in this matter; and

(c) if the reply to part (a) above be in the affirmative, what action the Government propose to take to provide relief to the Industry?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):**

(a) There has certainly been an increase in the cost of production as a result of the price of furnace oil going up, but Government do not consider that the industry has been hard hit.

(b) Yes, Sir.

(c) Does not arise.

## विद्युत् प्रदेश में पुनर्वास

\*२०९१. श्री बी० डी० शास्त्री : क्या पुनर्वास मन्त्री यह बतलाने की कृपा करेंगे :

(क) विद्युत् प्रदेश में विस्थापित व्यक्तियों के पुनर्वास पर भारत सरकार द्वारा मार्च, १९५२ तक व्यय की गयी धनराशि; तथा

(ख) उन को उद्योग चलाने के लिए ऋण के रूप में मार्च, १९५२ तक कितनी धन राशि दी गयी ?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) Rs. 23,87 lakhs.

(b) No amount was specifically earmarked for industries. However, out of the funds sanctioned by the Government of India, the State Government gave Rs. 1.21 lakhs for running industries in Vindhya Pradesh. The Rehabilitation Finance Administration separately gave Rs. 17,000 for the same purpose.

## BLAST FURNACE

\*2092. **Shri Muniswamy:** Will the Minister of Production be pleased to state:

(a) whether it is a fact that the erection of a Blast furnace in India is

under the consideration of Government;

(b) if so, when and where will it be started; and

(c) what are the names of those foreign firms which are willing to co-operate with Government in this industry?

**The Minister of Production (Shri K. C. Reddy):** (a) Yes.

(b) No decision has yet been taken on these points.

(c) As the negotiations are still proceeding, it is not in the public interest to disclose the details at present.

## STATIONERY FOR M.P.S.

\*2093. **Shri Sinhasan Singh:** Will the Minister of Works, Housing and Supply be pleased to state:

(a) the price of paper used for printing letter pads for Members of Parliament per ream;

(b) the size of paper sheet so used and the number of letter papers made out of one such sheet; and

(c) the cost of printing the letter heads with Government emblem and the price charged from Members on sale for every 50 and 100 letter paper sheets?

**The Deputy Minister of Works, Housing and Supply (Shri Buragohain):** (a) Rs. 32/9/1.5 per ream.

(b) The size of paper sheet used is 18"×21" and the number of letter papers of different sizes made out of one such sheet is—

	Pieces
(i) D. O. Note paper 4½" × 7".	12
(ii) " " " 8" × 5" .	8
(iii) " " " 9" × 7" .	6
(iv) " " " 10" × 8" .	4
(v) " " " 13" × 8" .	3

(c) The cost of printing the letter heads with the State emblem is—

(i) colour embossing—Rs. 32-15-0 per thousand.

(ii) plain embossing—Rs. 27-14-6 per thousand.

The price charged from Members of Parliament for 100 sheets of different

sizes mentioned in the answer to part (b) of the question is as follows:

<i>Coloured embossed</i>	<i>Plain embossed</i>
(i) Rs. 4 7 0	Rs. 3 14 0
(ii) Rs. 4 12 0	Rs. 4 3 0
(iii) Rs. 5 1 0	Rs. 4 8 0
(iv) Rs. 5 11 0	Rs. 5 2 0
(v) Rs. 6 5 0	Rs. 5 12 0

The rates for pads of 50 sheets are half the rates for 100 sheets as given above.

#### HIMALAYAN EXPEDITIONS

**\*2094. Shri Bhakta Darshan:** Will the Prime Minister be pleased to state:

(a) how many foreign expeditions tried to climb the various peaks of the Himalayas or make scientific explorations in the Himalayan region during this summer, and from which countries did they come;

(b) what were their objectives and how far did they succeed in achieving them;

(c) if any type of help was accorded to these expeditions, and if so, to what extent;

(d) whether any Indian party also undertook the same types of expeditions in that region, and if so, with what results; and

(e) were they in any way helped by Government?

**The Parliamentary Secretary to the Prime Minister (Shri Satish Chandra):** (a) and (b). Two expeditions to Nepal, one Swiss and the other British, one British expedition for Botanical research in Nepal, three expeditions, one British, one French and one Italian to the Gangotri region set out this summer.

Government have no detailed information about the progress of these expeditions, except that Everest has not been climbed and that the French expedition succeeded in reaching Choukhamba peak.

(c) Exemption from payment of customs duty was granted in respect of the equipment imported by the expeditions, subject to the goods in question being re-exported out of India within a specified period.

(d) According to press reports, an Indian party attempted Panchuli Peak but failed.

(e) No request for Government help was received.

#### AREAS FOR COMMUNITY PROJECTS IN ORISSA

**\*2095. Shri N. B. Chowdhury:** Will the Minister of Planning be pleased to state:

(a) whether State Governments were asked by the Planning Commission to recommend suitable areas for community development programme; and

(b) if so, what were the areas recommended by the Government of Orissa and when these recommendations were made?

**The Minister of Planning and Irrigation and Power (Shri Nanda):** (a) Yes.

(b) A list is placed on the Table. [See Appendix X, annexure No. 16.]

#### WOMEN WORKERS IN TEA GARDENS

**\*2096. Shri K. P. Tripathi:** Will the Minister of Labour be pleased to state:

(a) whether it is a fact that Industrial Tribunals in West Bengal and Assam have come to a finding that the women workers in the Tea Gardens of Assam are mere adjuncts to their husbands and that they may be dismissed immediately on the dismissal of the husbands; and

(b) what is the number of women workers involved in this definition?

**The Minister of Labour (Shri V. V. Giri):** (a) No information is available regarding West Bengal. In Assam, the services of four women workers in two tea gardens were terminated following the dismissal of their husbands for gross misconduct. The presence of dismissed workers in their quarter within the estate premises was considered prejudicial to peace, order and discipline in the gardens and the wives and other members of their families, who were their dependents, had to leave the gardens along with them. The Industrial Tribunal which dealt with the cases in question observed that the discharge of the women workers was, in the circumstances, justified. It observed as follows in the award:

"The wives or the children of the employees in a Tea Garden, do not ipso facto become workmen in the Company. When those workers are dismissed from their employment, they go away along with their wives and other dependants who

have got no separate existence of their own....."

Government, however, consider the matter involves an important issue which requires further examination; this will be done after obtaining the information under clause (b) below.

(b) Information is being collected and it will be placed on the Table of the House in due course.

#### DIESEL ENGINES

**\*2097. Shri Muniswamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the import of Diesel Engines is restricted and if so, why; and

(b) what is the average number of Engines that are permitted to be imported every year?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):** (a) The import policy for the II half of 1952 is under consideration.

(b) Separate statistics for diesel engines are not available. Imports of all types of oil engines during the last 2 years were as follows:

1950-51	...	36,003
1951-52		72,433

#### CONTRIBUTION OF CENTRAL TEA BOARD FOR LABOUR WELFARE

**\*2098. Shri K. P. Tripathi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Central Tea Board contributed any sum for labour welfare last year, and the year before the last;

(b) if so, what was the amount; and

(c) whether the contribution has been stopped this year?

**The Deputy Minister of Commerce and Industry (Shri Karmarkar):** (a) and (b). The Central Tea Board allocated during the year 1950-51, that is from the 1st October 1950 to the 30th September, 1951, Rs. 4 lakhs for labour welfare.

(c) No final decision has yet been taken.

#### FIRMS INCORPORATED IN U.K.

**\*2099. Shri Pateria:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are aware that a large number of Firms incor-

porated in U.K. and operating from Calcutta are controlled by the Bengal Chamber of Commerce;

(b) whether Government gave any assurance in the past that such firms would not be discriminated against in any way and would be treated on a level with other Indian firms;

(c) whether Government are aware that since 1950 more and more Britishers are being employed by these firms in superior positions, thus restricting the scope of Indians in the superior positions in these firms;

(d) if the answer to part (c) above be in the affirmative, whether Government took any action to limit further importation of foreigners in these firms; and

(e) what are the conditions of employees there with regard to—

(i) rates of salaries and privileges enjoyed by Indians and Britishers in the same grade; and

(ii) training facilities enjoyed by both?

**The Minister of Commerce and Industry (Shri T. T. Krishnamachari):**

(a) Government are aware that a number of foreign firms are operating in Calcutta, but have no information regarding their exact number or in regard to their being controlled by the Bengal Chamber of Commerce.

(b) No specific assurances have been given, but it is generally our policy to afford equal treatment to all concerns operating in this country.

(c) and (d). Government have heard of this from certain sources. Inquiries are being instituted in this regard.

(e) Government have no information.

#### WHITE PAPER

**\*2100. Shri Pateria:** Will the Minister of Commerce and Industry be pleased to state:

(a) the names of various Mills producing white paper in India along with their annual output in tons per year, especially in 1951-52;

(b) what is the approximate quantity of white paper required by the country annually;

(c) what are the steps taken by Government to increase the annual output of white papers; and

(d) what was the quantity of white paper imported into India in the year 1951-52 along with the names of the countries from which it was imported?

**The Minister of Commerce and Industry (Shri I. T. Krishnamachari):** (a) I presume the hon. Member is referring to printing and writing paper. A statement is laid on the Table of the House. [See Appendix X, annexure No. 17.]

(b) The demand is estimated to be in the neighbourhood of 100,000 tons.

(c) Government assistance takes the form of release of constructional materials, grant of import licences for machinery etc., to the industry for the setting up of new mills and expansion of existing units.

(d) 12,098 tons, mainly from the U.K., Canada, Finland, Sweden, Norway, Austria, Japan and the U.S.A.

#### DISPLACED CHILDREN OF SCHOOL GOING AGE

**\*2101. Shri Pateria:** Will the Minister of Rehabilitation be pleased to state:

(a) what is the number of children between six to twelve years i.e., of school going age, in the various displaced persons' colonies in India;

(b) what is the number which could be accommodated in the schools in the colonies;

(c) how many colonies are still without schools; and

(d) what steps Government have taken for giving educational facilities to the children and the period in which the proposals will be implemented?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) to (d). The labour and expense involved in collecting the information will not be commensurate with the results achieved.

#### सहकारी-कृषि

**\*२१०२. श्री बिगम्बर सिंह:** क्या योजना मन्त्री यह बतलाने की कृपा करेंगे कि:

(क) किस कारणों से सरकार को भरोसा हो गया है कि किसान सहकारी-कृषि करने को तैयार हो जायेंगे;

(ख) क्या किसानों से सम्पर्क कर के ऐसी कोई सूचना प्राप्त की गयी है; तथा

(ग) क्या सरकार ऐसी किसी योजना पर विचार कर रही है जिस के द्वारा किसानों

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को, कुछ सीमा तक, सहकारी-कृषि अन्दाने के लिए विवश किया जायेगा ?

**The Minister of Planning and Irrigation and Powers (Shri Nanda):** (a) It is believed that the growing realisation of the economic disadvantages caused by fragmentation and continuous subdivision of holdings would induce the cultivators to adopt some form of co-operative farming.

(b) The view is based on the opinions expressed at many representative conferences.

(c) No. Sir.

#### DISPLACED PERSONS IN TRIPURA

**530. Shri Biren Dutt:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of displaced persons in Tripura;

(b) how many of them have been rehabilitated; and

(c) what steps are being taken to rehabilitate those persons to whom the Government of Tripura gave land belonging to other persons and who have now been ordered to vacate such lands?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) 1,01,201.

(b) Without a proper economic survey it is not possible to say what degree of economic rehabilitation has been achieved by individuals or groups.

(c) In no case has a displaced person been given land belonging to other persons.

#### EMPLOYMENT EXCHANGE IN TRIPURA

**531. Shri Biren Dutt:** Will the Minister of Labour be pleased to state:

(a) whether there is any Employment Exchange in Tripura State; and

(b) if the answer to part (a) above be in the negative, do Government contemplate to set up one there?

**The Minister of Labour (Shri V. V. Giri):** (a) No, Sir.

(b) Not in the immediate future.

#### WORKERS IN NELLORE MICA MINES

**532. Shri Nana Das:** Will the Minister of Labour be pleased to state:

(a) the total number of workers employed in the Mica Mines and

factories (Mica industry) in Nellore District during the years 1947, 1948, 1949, 1950, 1951 and 1952;

(b) the total number of workers employed in the month of June, 1951; and

(c) what was the number of workers employed in June, 1952?

**The Minister of Labour (Shri V. V. Giri):** (a) to (c). The information is being collected and will be laid on the Table of the House in due course.

### बिहार कोयला खानों के मजदूर

५३३. **शेठ गोविन्द दास :** क्या खन मन्त्री यह बतलाने की कृपा करेंगे कि १९५१-५२ में, बिहार को कोयले की खानों में निम्न वर्ग के मजदूरों की संख्या क्या थी :

- (१) स्त्रियाँ ;
- (२) गर्भवती स्त्रियाँ ;
- (३) दूध पिलाने वाली मातायें ; और
- (४) पन्द्रह वर्ष से कम आयु के बच्चे ?

**The Minister of Labour (Shri V. V. Giri):** (i) About 34,604.

(ii) In 1951, 3,486 women gave notice under the Mines Maternity Benefit Act, 1941, that they expected babies within one month from the dates of notice. Some of the pregnant women might not have given notice for the reason that they were not entitled to Maternity Benefit: the benefit applies only if a woman has been in employment in a mine or mines belonging to the same owner for at least six months preceding the date of delivery, and if absence without permission during this period does not exceed 26 days.

(iii) I regret that the information is not available. Though I have no doubt that several persons of category (ii) must have been subsequently transferred to this category, during the year.

(iv) The Mines Act prohibits employment of children under 15 years of age.

### CLAIMS COMMISSIONER FOR AGRICULTURAL CLAIMS

534. **Sardar Hukam Singh:** Will the Minister of Rehabilitation be pleased to state:

(a) whether there is a Claims Commissioner for agricultural claims in

the Claims Organisation of the Rehabilitation Ministry; and

(b) if so, what are his qualifications for agricultural claims and what is his experience in land work?

**The Minister of Rehabilitation (Shri A. P. Jain):** (a) There are two Claims Commissioners for verification of agricultural land claims.

(b) A statement showing their qualifications is laid on the Table of the House. [See Appendix X, annexure No. 18.]

### ACCIDENTS IN NELLORE MICA MINES

535. **Shri Nana Das:** Will the Minister of Labour be pleased to state:

(a) whether it is a fact that almost all the accidents that have occurred in the Mica mines in Nellore District of the Madras State from 1948 to 1952 were the results of misfires of explosives;

(b) if so, the number of such accidents;

(c) how many lives have been lost in these accidents; and

(d) what steps have been taken to stop these accidents?

**The Minister of Labour (Shri V. V. Giri):** (a) and (b). Seven out of eleven fatal accidents which occurred in the mica mines in Nellore District from 1948 to July 1952 were caused by explosives.

(c) Ten.

(d) Necessary instructions as to how to avoid accidents by drilling into mis-fired shot-holes have been issued to the managements of all the mines. To enforce the provisions of the Indian Mines Act and Regulations made thereunder effectively, a Junior Inspector of Mines has been posted at Nellore since 24-5-50. He organised classes for blasters and supervising staff of mines in 1950. Since then many of the blasters employed in that area have been examined by the Junior Inspector and the District Superintendent of Police and have been granted certificates to show that they are qualified to use explosives in mines. Adequate provision for the examination and certification of blasters has been made in the revised regulations for metalliferous mines which are now under consideration of the Government. The managements have also been requested to notify all appointments of shot-firers and to appoint only such persons as have been granted certificates of competency.

**JACK HAMMERS IN MICA MINES**

**536. Shri Nana Das:** Will the Minister of Labour be pleased to state:

(a) the number of Jack Hammers that are in use in all the Mica Mines in the Nellore District; and

(b) the number of accidents that occurred to the operators of Jack Hammers after their introduction in the mining industry?

**The Minister of Labour (Shri V. V. Giri):** (a) and (b). Information is being collected and will be placed on the Table of the House in due course.

**GOVERNMENT ADVERTISEMENTS IN NEWSPAPERS**

**537. Shri Veeraswamy:** Will the Minister of Information and Broadcasting be pleased to state the names of newspapers and journals to which the Government of India offer advertisements?

**The Minister of Information and Broadcasting (Dr. Keskar):** The attention of the hon. Member is invited to the reply given to part (a) of Starred Question No. 87 on 9th August, 1951.

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## PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

## OFFICIAL REPORT

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## HOUSE OF THE PEOPLE

Thursday, 24th July, 1952

The House met at a Quarter Past  
Eight of the Clock.

[MR. SPEAKER in the Chair]

## QUESTIONS AND ANSWERS

(See Part I)

9-15 A.M.

## STATEMENT RE KASHMIR

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Sir, I am grateful to you for this opportunity to make a statement in regard to affairs relating to the Jammu and Kashmir State. The House has been interested and the wider public is also interested in these developments and, therefore, with your permission, Sir, I shall take a little time of the House to state not only the present position, but go somewhat into the background, because we are apt to forget what has happened in the recent past. Public memory is short and unless we remember that past it is sometimes a little difficult to understand the present.

The State of Jammu and Kashmir for long years was a delectable playground for those who could afford it, one of the famous playgrounds of the world, and though the people living there were for the great part poverty-stricken, it drew many people from the rest of the world. This Kashmir, which was politically-speaking a backwater for these long years, was suddenly thrust into the current of history and since then events have happened there, many developments have taken place—good and bad—and naturally public attention has been drawn to them and it has become an international affair. For us in India it is, of course, something much more than that

not only because of our long contacts ranging over a thousand years; but also because of these recent developments which have brought us nearer to one another. So, therefore, I would ask the indulgence of the House, if I may put it so, for some background information.

First of all, I would like the House just to form a mental picture of the geography—the geographical situation. From the southern tip of India, Kanya Kumari, Kashmir is just about or a little over two thousand miles. It is a far cry. Roughly speaking, Kashmir is about a thousand miles from the sea. While a part of India it is, in fact, the heart of Asia, geographically speaking, and for countless ages great caravans have passed from India right up to Central Asia through this State. It is essentially, and it has been for two thousand years or more, very closely connected with India culturally and politically often enough. It is also connected in various ways with Central Asia. Even now I wonder how many people realise that Kashmir is further north than Tibet. So one has to think of Kashmir in that peculiar geographical position apart from the other factors in the case.

Now Kashmir, as I said, was suddenly thrust into this current of history. This current is moving very rapidly in many parts of the world and sometimes it becomes a rushing and raging torrent in some parts. We seem, all of us or most of us all over the world, to live on a thin crust of peace and the crust threatens to crack up often enough and does crack up sometimes. Even this morning's news will bring this picture to the minds of hon. Members—the happenings in some States in Western Asia, the *coup d'etat* and the rest taking place and the lack of stability. We in India are perhaps a little fortunate in this respect, because in spite of many things that some hon. Members may complain of, or protest against, there is, it is widely recognised, a large measure of

[Shri Jawaharlal Nehru]

stability in our machinery of Government and affairs in the country and a continuous, progressive development, without those cracks appearing. This is a matter of good fortune for us. But at the same time nobody in this wide world can afford to forget this cracking and sometimes, as it appears, dis-integrating world of ours. That is the major background to be remembered.

Now in the State of Jammu and Kashmir, as in other Indian States of old, there were strivings for freedom against the feudal rule that existed there. As in other States again, they took their inspiration from the great nationalist movement of India. In essence, they were the outcome of that very movement and the off-shoots of that movement and their ideals and objectives also very largely came from that big movement and that great leader, Mahatma Gandhi. I think I would be right in saying that of all the various State movements in India during the last twenty or thirty years probably the State movement that developed in the Jammu and Kashmir State, the popular movement I mean that developed there, was the most powerful and grew up to be the best organised. It came in conflict, inevitably, with the State Government there, as all such movements did elsewhere. This movement was intimately connected with what was known as the All-India States People's Conference. Thereby it became a part of that allied movement in India which affected all the States in the country. It was closely connected with it. This is the background.

There were during these years, as in the rest of India, conflicts with the State machinery and the people there and the popular organisation there went through a great deal of torment and suffering. There is much to be said about that period, but I shall now come to more recent times.

When, or a little before, independence and partition came, the House will remember that we were faced by this big problem of the six hundred and odd Indian States in India. It was a terrific problem and we had to solve it with great rapidity. The announcement that the British Government had made—I think it was round about early in June 1947—had left the position of these States vague. We did not like that part of the British Government's announcement, because, in a sense it almost encouraged fissiparous tendencies in these States. It almost led some people to think or

imagine in these States all over India—I am talking about the Rulers there—to think that they could function more or less independently.

So, in those months of July and August 1947 we had to face this major problem. Fortunately, we had a man big enough to face it—Sardar Patel. And then during those two or three weeks preceding Independence we saw nearly all these States in India acceding to the Union of India, or to the Dominion of India as it then was—nearly all, barring two or three, barring Hyderabad, barring Kashmir and one or two small ones. Hyderabad's case, as the House well knows, was a very special one. Kashmir, I am dealing with. The other small ones did not count much. So practically all these States acceded to India with great rapidity. And I should like to say that we were helped greatly in that process by the then Governor-General of India, Lord Mountbatten. That help had great effect because it proved to all these Rulers in these States that they could not rely upon the British Government, as against India. And so they were faced by this coming Independence of India, of which they were afraid. They were faced by their own people who were dissatisfied with them and wanted a change. And when the last support which they perhaps looked up to, that is the British Government, also failed them they had no prop left, and hence the rapidity of their accession to India. They acceded on three basic subjects, Defence, Foreign Affairs and Communications. All the States did that. And so the Dominion of India started on the 15th August 1947 with all these States having acceded to it, excepting Hyderabad on the one side, Kashmir on the other, and one or two small ones.

In regard to Kashmir, even before the 15th August, I should imagine in July, the question came up before us informally. And the advice we gave was that the State of Jammu and Kashmir, for a variety of reasons, occupied a very special place. May I add here that even in regard to the other States in India the Government of India had declared its policy—the Minister of States, Sardar Patel, had declared our policy clearly—that where in regard to any State there was any doubt as to the wishes of the people, those people should be consulted. That is to say, normally speaking there was no doubt that these States wanted to become parts of the Union of India—there was no question of consultation,

no doubt—but where there was any doubt we declared that we will consult the people and abide by their wishes. That general policy and principle applied to every State in India. But there were hardly any cases where this question arose and that is a different matter. So that, when the question of Kashmir at first informally came up before us—it was always before us in a sense, but it came up before us informally round about July or the middle of July—the advice we gave to Kashmir State was—and, if I may say so, we had contacts with the popular organisation there, the National Conference, and its leaders, and we had contacts with the Maharaja's Government also, rather vague contacts, but they dealt with us—the advice we gave to both was that Kashmir is a special case and it would not be right or proper to try to rush things there, and the general principle we had laid down that the people of the State should be consulted specially applied to Kashmir. This was before Partition, before the actual coming of Independence. We made it clear that even if the Maharaja and his Government then wanted to accede to India, we would like something much more, that is, popular approval of it before we took that step. We did not wish by some clever tactics to gain something on paper. We were after something much bigger, that is to gain the hearts of the people there to have a real union. Indeed, the basis and the foundation for that real union had been laid in the past—a much more enduring basis than even any legal or constitutional document. That basis had been these national movements there and here, our working together in co-operation for common ideals, and our having to endure common suffering. That was the real basis. So we made it clear in the month of July 1947 that the State of Jammu and Kashmir should not be hustled into taking any action, though many of their leaders were personally inclined, but they knew their people too and they said that the initiative should come from the people and not merely from the Maharaja's Government, only then it will endure. We accepted that entirely. And so we informed the Maharaja's Government as well as the leaders of the popular movement there that this matter of accession should not be hurried, that it should wait over till some method was found of consulting the people. And at that time what we envisaged was some kind of Constituent Assembly being elected there. In fact we envisaged that for other places too, wherever such a question arose. And we advised that meanwhile there

should be Standstill Agreements with India and Pakistan that was going to come soon, so that no change need be made, except minor changes, and a little later, at leisure, this question could be considered further.

Well, of course there was little of leisure that we had after the 15th August 1947. Upheavals took place in Pakistan, in the States of India bordering on Pakistan, and we had to pass through much pain and torment during that period. We could not think of Kashmir or any other place. We had to deal with the immediate issues that faced us from morning to evening.

Suddenly, the House will remember, in the last week of October 1947 an invasion took place of Kashmir through Pakistan. Now, it has been said in Pakistan often enough that there was some deep conspiracy on the part of India, allied with the leaders of Kashmir, to create trouble in various parts of the State, in the Poonch area and the rest. It has also been said, some people have said, that we knew all about what was happening—this invasion, I mean. The fact of the matter is that when we first heard the news of this invasion it came to us as a complete surprise. In fact, even the news did not reach us properly, because communications were not working properly. And when this dawned upon us we were taken much aback. For a day or two we gave very serious thought to this matter, and we did not quite know what we could do about it. We were far out of reach. Physically it was difficult. We were terribly busy with our own troubles here. However, as this raid and invasion developed, news came to us of rapine, killing and arson that was going on in its train, and naturally there was a great public feeling in India. Public feeling was aroused and the House can well imagine what the state of public feeling in the State of Jammu and Kashmir was at the time. At that time we received independent appeals both from the Maharaja's Government and from the popular organization of Kashmir. The appeals were for help and for accession to India. We gave long and very anxious consideration to these, tried to consider and think out the implications etc., and we had to come to a quick decision. I remember, it must have been the 27th of October, after practically an all day sitting in the evening we came to the conclusion that in spite of all the risks and dangers involved, we could not say 'No' to that appeal and that we had to go there to help them. It was not an easy matter because we could only go by

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air. We did not even know if the one and only temporary air-field was working or was in the hands of our foes. There was no other way to get there immediately and time was important, because every day brought further news of the depredations of those raiders. We decided to go to their help with all its consequences and within 12 hours of our decision our troops were on the way by air. That was a fine piece of staff work on the part of our Army and Air Force. They arrived just in time; indeed it is possible that if they had arrived 24 hours late, the air-field would have been in the enemy's possession and that would have made matters much more difficult. From the air-field they went straight within a few miles to oppose these raiders. The raiders were driven back. Those raiders were supposed by us to be tribal people, no doubt, encouraged and abetted by Pakistan. At first we did not think it was a major military operation to drive out these tribal people. May I add here that before our forces reached there, probably before three or four days, the administration of Kashmir had completely collapsed. There was no administration. There was nobody—I cannot say definitely, but I hardly think there was any police force left or anything else. During these very critical days when this ruthless enemy was advancing on the famous city of Srinagar, the people of Srinagar had nobody to protect them, either big or small, and it was only the popular effort of the people, the volunteers of the National Conference that protected that city and protected it, not so much from armed forces—they could not do that because they had no arms—but they gave the necessary moral stimulus to the people and it is a fact worth remembering that when the enemy was within ten or twelve miles of Srinagar city, not a shop in Srinagar was closed. They were functioning. That showed the morale of the people and of the National movement at the moment of severe crisis. We drove back these raiders and when we drove them back to a place called Uri, where only a year or more earlier, I had been a prisoner of the Maharaja's Government, suddenly our forces discovered that a little beyond Uri they were not dealing with the tribal raiders, but with the armed might of the Pakistan army. That was a different matter that had to be dealt with on a different plane and so for the moment our armed forces stopped there.

Well, since then—this was in November 1947—war continued there and

elsewhere in the State, on the Jammu side, on the Kashmir side and on the northern side. It continued for a year and a half nearly. Round about December when we saw that we were up against the regular forces of the Pakistan army, immediately we felt that this matter was likely to become much bigger than we had imagined, that it might very well lead us to a full-scale war with Pakistan.

I should like the House to remember that time because we must judge every event in the context of that period. It was a period when soon after Partition with all the troubles we had due to the Partition and even our armies and services, everything else was split up, we wanted to settle down and apart from that, so far as we are concerned, we are averse to war, if we can help it. When we saw this matter might well develop into a full-scale war against Pakistan, we decided to refer the matter to the United Nations, I think, round about December 1947. Our reference was that certain tribal people had invaded the Kashmir State territory, behaved ruthlessly etc., that they had come through Pakistan territory and that Pakistan had aided and abetted them in doing so. Our request to the United Nations or the Security Council was that they should inform Pakistan not to aid and abet these people. That was our request and that was the question we put. For the rest we proposed to deal with the situation ourselves. Our object was that this war should not spread in this way. We had, of course, asked Pakistan directly this question. But Pakistan had stoutly denied having anything to do with the matter. It was rather difficult to understand how a few thousand people could march through Pakistan territory almost unaware so far as the Pakistan Government was concerned. However they denied that the tribal people had marched through their territory with their help at all and they denied absolutely then and for some months afterwards, that any Pakistan force or any part of the Pakistan Army had taken part in this Kashmir invasion. Later, we had plenty of evidence of this and in Delhi city a little museum was opened by our Defence people, showing the participation of the Pakistan army when they were doing it, because we had all kinds of captured materials, diaries of soldiers, insignia, etc.

In 1948 these military operations went on fiercely throughout the winter. It is a very difficult time in those high

valleys of the Kashmir State during winter when you have to go up 15,000 feet or so. Simultaneously, the Security Council came into the picture. At first, for many months they talked and argued in New York. We were surprised because the question we had put was a very simple one and admitted only of a simple answer. We had not asked them to take our word for it, if it was challenged, as it was challenged, by Pakistan. The obvious course was to find out for themselves if we were telling the truth or Pakistan was telling the truth in this matter. During these four or five years of discussion, negotiation and mediation that simple question that we put at the end of 1947 has not been answered and has not been considered in that way. It has been answered in a sense rather indirectly by the Resolution of the United Nations Commission that came here in 1948, when they said that a new situation had arisen because Pakistan troops were in Kashmir. They did say that, because till the very eve of this statement, Pakistan Government had firmly denied the fact that their troops were there. That is an amazing instance of continuing to repeat what was patently false, and without foundation and which was found to be so by this United Nations Commission.

If I may just for a moment go back a little, on 31st December 1948, a cease fire was agreed to between the parties. Since then, there has been no military operation on any major scale. There have been petty raids; but, otherwise, there has been no serious fighting. That has been the position since then. Apart from local troubles and infiltrations—if you take that kind of thing, there is plenty of that—the scene has shifted to the Security Council of the United Nations, the United Nations Commission, United Nations representatives and the like, who have been visiting India from time to time. I shall not go into that history.

The latest mediator has been Dr. Graham. Dr. Graham has been here twice and has had long consultations with us and with the Pakistan Government, and is at the present moment in New York still continuing these conversations. He confined his enquiries almost entirely to what he called the demilitarisation of the State. That word is hardly a happy word; but, nevertheless, for the sake of convenience we may use it. The position that we had agreed to when the United Nations Commission was here was this. In our desire to have peace, we had agreed to this, that, first of all, Pakistan armies, auxiliaries and the rest

should withdraw from every inch of State territory. In fact, we had laid the greatest stress on it, not merely for military reasons, but much more so for moral reasons. They had no business to be there. They had to withdraw. They had invaded. Even if Pakistan challenged the accession of Kashmir to India, and as the House knows, they have challenged it and called it a bogus accession and all that kind of thing—even leaving it apart, I shall deal with it a little later—whatever India's position in Kashmir might be, one thing is dead clear and dead certain, that Pakistan had no position there; moral political, constitutional or anything else, and Pakistan had no business to send any forces or abet any forces going there. So that, we made it an essential condition, a pre-requisite of any kind of approach to a settlement with Pakistan, their withdrawal completely from that area which they had invaded and occupied. That was the thing agreed to in that Resolution of the United Nations Commission.

Meanwhile something else had happened and that was the building up in the Western area of the State, which was occupied by Pakistan, of forces sometimes called the Azad Kashmir forces. They had built up local levies called Azad Kashmir forces. At that time, that is in 1948, we did not have too much information about that, although we knew about it. We asked that these levies should be disbanded and disarmed. We could not ask them to go away from the State because the people lived in the State. We asked that they should be disbanded and disarmed. The form that the Commission put it later in the Resolution was, large scale disbandment and disarmament of Azad Kashmir forces. There has always been an argument between us and Pakistan on that issue. We have insisted that this meant, and we meant, a complete disbandment and disarmament: complete in the sense as far as could be. Some people may not give up arms; some may hide them. That is a different matter. Officially, it must be complete. Pakistan did not agree to that interpretation. And, this has been one of the arguments coming in the way of the conversion of the Cease Fire into a Truce Agreement. This was what Pakistan had to do. On our side, we had agreed to withdraw the bulk of our forces, mark the word "bulk", from the State territory provided that we keep enough forces there to maintain the security of Kashmir from external invasion or any other internal troubles. It was always a condition that we must have

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enough forces, and we were the judges of that. We had said that we will withdraw the bulk of our forces, that is, when Pakistan armies had gone to Pakistan. We felt we could do that. This was more or less the position. Then came the Cease fire and these talks are taking place. These talks had got rather struck up over the interpretation of the Resolutions passed in August 1948 and January 1949, by the United Nations Commission. I shall not go into those details.

Now, Dr. Graham has been dealing solely with this so-called demilitarisation problem. He laid down at one time 12 proposals. I think, as far as I can remember, we agreed to eight, about one or two, we wanted some change, and we did not agree to one or two.

May I go back a little? We had agreed to two proposals of the United Nations Commission in 1948 and 1949. The other things happened in between. But, at a later period, the Security Council passed a Resolution with which we did not agree and we made it perfectly clear in the Security Council that we could not possibly accept that Resolution because, apart from the fact that it went against all that we have stood for and all the assurances we had given to our people and the people of Kashmir, and our responsibility for the defence of Kashmir, we felt that it went against even the Resolutions passed by the Security Council itself at the instance of the Kashmir Commission. It was going back on that. So, we never accepted that Resolution, or parts of that Resolution. Dr. Graham was appointed in terms of it later. We made it clear to Dr. Graham.....

**Pandit L. K. Maitra (Nabadwip):** Dixon's report preceded that.

**Shri Jawaharlal Nehru:** I am not going into all matters. Other people came in between. I am saying that we did not accept that Resolution. But, it has always been our point of view in the Security Council and elsewhere that we shall gladly—because we want peace and settlement—discuss this matter with anybody, certainly with a representative of the United Nations, and we are prepared to treat him as a mediator, but on no account are we prepared to agree to something which was imposed upon us. We are not prepared to have anything imposed upon us, and we are not prepared to accept anything which goes against our own responsibilities in this

matter. So, when Dr. Graham came—he came here as a mediator, not in furtherance, so far as we are concerned, of that Resolution of the Security Council which we had not accepted. I might add that throughout his stay here, his visits here, Dr. Graham has never mentioned that Resolution here. So, he concentrated his attention on the demilitarisation—what is called demilitarisation—of the State, and although we agreed to many things that he said, there has always been a gap between our position and the position taken up by Pakistan. That gap has not yet been bridged.

I should like to express, if I may, my admiration for Dr. Graham and his sincere efforts and extraordinary patience. He has, undoubtedly, I believe, tried his utmost to achieve results, he desires it, and in some matters he has made progress too, but a certain gap still remains. So far as we are concerned, if I may say so with all respect, we have also been very patient, and we are prepared to match our patience with others' patience, because the consequences of being impatient are bad. So, these talks are going on, and certain reports appear in the newspapers. They are sometimes partly true, partly not true; it becomes very difficult for us to deal with these reports which are not made by any official source, but get out nevertheless. Now, that is so far as Dr. Graham is concerned.

Now, to go back to the other aspect. The position in 1948 in regard to Kashmir and all other States, the acceding States, was that they had acceded on three basic subjects—Foreign Affairs, Defence and Communications. But, then, the other States in India, all of them almost, were more closely integrated—the process of closer integration started, and was achieved, very largely again at the instance of Sardar Patel. So that we had a picture in India of—practically we had removed any difference between the old States and the old Provinces. It is true that provisionally some States were called B States, some were called A States, and some C States, but that is exceedingly temporary, and that goes, that must go and it is going. In effect, that difference which marked a Province and an old State was gone, and India became a much more closely integrated State.

Now, while that process was going on in regard to other States, it did not go on in regard to Jammu and Kashmir State, deliberately, for a variety of reasons. Well, reason number one,

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because, one reason was, that the whole matter was in a fluid state, before the United Nations etc. Reason number two equally important, that from the very beginning, for obvious factors, we had recognised that the position of Kashmir was somewhat different. Thirdly, that from the very beginning we had repeated that—from even before the Partition, I may inform the House—that no step will be taken about Jammu and Kashmir State without the concurrence and consent of the people of Kashmir. So, deliberately, Kashmir remained with those three subjects, and those three subjects only. Of course, when I say three subjects like Defence, Communications and Foreign Affairs, please remember that each subject itself is a category of subjects. It is not a small subject, it is a category, if you go into details. We did not touch that. And Sardar Patel was all this time dealing with these matters.

This came to an end in November, I think, of 1949 when we were designing our Constitution in the Constituent Assembly. Well, we could not leave everything quite vague and fluid there. Something had to be stated in our Constitution about Jammu and Kashmir State. That problem had to be faced by Sardar Patel. Now, he did not wish to say very much, he wanted to leave it, we all wanted to leave it in a fluid condition because of these various factors, and gradually to develop those relations, those legal and constitutional relations, and not to force the pace in any way. As a result of this, a rather unusual provision was made in our Constitution relating to Jammu and Kashmir. That provision is now in article 370 in Part XXI, Temporary and Transitional Provisions. Now, that article if you will look into it—I will not trouble you by reading it. If you refer to it, if you are interested, you will see the position that emerged at the time of our finalising our Constitution. And I might say that that article 370, although it is by no means a final article, nevertheless, it defined more precisely the relationship of that unit, that constituent unit, with the Union of India. After that, on the 26th of January, the President issued an Order in terms of that article 370, a President's Order defining the categories of subjects and parts of the Constitution that should be applicable to the Jammu and Kashmir State. Now, the position since the Constitution was framed is thus contained in article 370 and in the President's Order following it. Article 370 was obviously of a transitional nature, and it allowed the President to make any additions to it.

any variations to it, later on, the object being that if any change or addition was required, we need not have to go through the cumbersome process of amending our Constitution, but the President was given authority to amend it in the sense of adding a subject, part of a subject, whatever, it was, to the other subjects in regard to Kashmir. But in article 370, the old principle was repeated and emphasized that all these changes or any change required the approval of the Constituent Assembly of the Jammu and Kashmir State. Now, when this was put down in our Constitution, there was no Constituent Assembly of Jammu and Kashmir State, but we envisaged it. We had envisaged it for a long time. And if the Constituent Assembly was not there, then, it required the consent of the Jammu and Kashmir Government. So, that was the position.

The House will appreciate that throughout our position has been, from before partition, that we will not take any step which might be considered a step in the nature of compulsion or coercion, that everything should flow with the consent of the people concerned. That was the basic position. In addition to that fact, when this became an international issue, we did not wish to do anything which might be thought as if we were trying to override or bypass any assurance that we had given to the United Nations. This rather fluid condition continued, and our relationship was fluid in this sense, namely legally fluid; otherwise there was no difficulty and we carried on. It might have continued some time longer, one year, or two years, or three years. There is nothing to compel us. We were getting on in an ordinarily friendly and co-operative way. There was no other difficulty. There were minor matters. We discussed them and decided them.

Then came actually the Constituent Assembly of Kashmir into being, and it came into being with our goodwill some time last year. When the subject that the first elections to the Constituent Assembly were going to take place was mentioned, there was a good deal of opposition to this idea in some foreign countries, which was voiced in the Security Council. And I need not say that Pakistan disliked it intensely. However, I saw no reason why and I see no reason now as to why any foreign country should interfere with the internal relationship of Kashmir with India, and what the people of Kashmir do to themselves. If other countries objected to that, we objected strongly to their objection, and we carried on. So, this Consti-

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tuent Assembly came into existence last year and it has done various things, various important reforms it has introduced, but then it set down to itself the major task of drawing up a Constitution for the Jammu and Kashmir State. Now immediately we were faced with this problem. It is all right to have a fluid state for some time, but when you draw up a precise Constitution you have to be precise. This was the background and the reason for the talks we have been having amongst ourselves and with the leading members of the Jammu and Kashmir Government. We had no desire to make the relationship as a static unchanging, or a finalised one; because the position is a dynamic one, a changing one. Nevertheless, it was perhaps too fluid and once a Constitution is going to be framed, a greater precision was necessary and it was obviously necessary that there should not be any contradictory provision in that which might not conform to the provisions of our Constitution. Hence these talks. Well, we had these talks for the last few days and I am going to tell you now what has emerged from these talks.

But before I say that, I would like to remind you that one of the first things that this Constituent Assembly did was to tackle the land reform question, and in the course of a few months, they have successfully accomplished them or almost accomplished them. I confess that I look with some envy on the speed and celerity with which they have performed this task there, considering the enormous trouble we have had in the various States in India, the difficulties, the obstructions and the delays that we have had to face, and so I became a little envious when I saw how this was done in Kashmir State. Now I might just give you some indication of what was done there. It is said that they have expropriated the landlords there. That is not quite correct. They have put a ceiling on land holdings, the ceiling is roughly 23 acres, plus orchards. They did not touch orchards. They have allowed, about 23 acres to remain with every person possessing land, plus the orchards he possesses. They have not touched them at all. And the House ought to remember that orchards are very important in Kashmir which is a great fruit-growing country. Then there are some other lands, grazing lands etc.; they are also still with the landholders. That matter will be considered further later. I said that each person has been allowed 23 acres. It should be

remembered that the average holding of land in Kashmir State is barely two acres, and so the 23 acres is a fairly generous holding ceiling that has been given.

Now in regard to the talks we have had, the position, obviously the admitted position, is that the Jammu and Kashmir State is a constituent part or unit of the Indian Republic. It is a unit of India and is therefore a part of the territory of India. That is the basic position.

The question of citizenship arose obviously. Full citizenship applies there. But our friends from Kashmir were very apprehensive about one or two matters. For a long time past, in the Maharaja's time, there had been laws there preventing any outsider, that is, any person from outside Kashmir, from acquiring or holding land in Kashmir. If I may mention it, in the old days the Maharaja was very much afraid of a large number of Englishmen coming and settling down there, because the climate is delectable, and acquiring property. So, although most of their rights were taken away from the Maharaja under the British rule, the Maharaja stuck to this that nobody from outside should acquire land there. And that continues. And in the State subjects notification by the Maharaja, they have defined four grades of subjects, Class number one Class two, Class three and Class four. And unless you come in one of these classes, you just cannot acquire land there, or any immovable property. So the present Government of Kashmir is very anxious to preserve that right because they are afraid, and I think rightly afraid, that Kashmir would be over run by people whose sole qualification might be the possession of too much money and nothing else, who might buy up and get the delectable places. Now they want to vary the old Maharaja's law to liberalize it, but nevertheless to have checks on the acquisition of lands by persons from outside. So far as we are concerned, I agree that under article 19, clause (5), of our Constitution, we think it is clearly permissible both in regard to the existing law and any subsequent legislation. However, we agreed that this should be cleared up. The old State's subjects definition gave certain privileges regarding this acquisition of land, the services, and other minor things, I think, state scholarships and the rest. So, we agreed and noted down this:

"The State Legislature shall have power to define and regulate the rights and privileges of the permanent residents of the State, more especially in regard to the acquisition of immovable property, appointments to services and like matters. Till then the existing State law should apply."

Then there was another matter relating to citizenship, because owing to these troubles in Kashmir since 1947 and a little before and after, there have been large numbers of people who gave gone out of Kashmir but want to return. So there must be provision made for them to return. In fact in our own Constitution, some provision has been made, and I might inform the House that this question was raised early this year or last year about the inclusion of a large number of migrants from East Bengal. We could not include them in our electoral rolls, because they came too late. We are including them now. Those that fulfil the conditions will all come in. So those who had gone away from Kashmir into Pakistan or elsewhere and who normally speaking might not be eligible for citizenship should be provided for, if they want to return. So we said:

"Special provision should be made in the laws governing citizenship for the return of those permanent residents of Jammu and Kashmir State, who went to Pakistan in connection with the disturbances of 1947 or earlier in fear of them, and could not return. If they return they should be entitled to the rights and privileges and obligations of citizenship."

Then came the question of fundamental rights. Now there was general agreement that there should be fundamental rights and these fundamental rights should apply to the State. But again there were great apprehensions in the minds of our friends from Kashmir. First of all, the question was how far these fundamental rights might not come in the way of their land legislation now or any later development of it. Certainly we did not want them to come in the way of their land legislation. We like their land legislation. We thought it was very good. In fact it is quite impossible to upset a thing that has been done, but we said the matter should be cleared. The second thing was this. Owing to all this business of invasion of Kashmir State, war, cease-fire, all kinds of continuing tensions, difficulties due to infiltration etc.—constant attempts are made by infiltration, espionage cases are repeatedly

heard there is sabotage and the rest, out if you go to that State, you find normalcy there, that is to say, the State is functioning adequately normally, but behind that normalcy there is this tension, constant tension of an enemy trying to come in to create trouble, to disturb, and all that. And the State Government has to be wary and watchful all the time, and so we were told that it was possible that some part of the fundamental rights provisions might very well hamper the activities of the State Government from taking these precautions and these measures. We agreed that it was essential and in the interests of Kashmir situated as the State is now, that the State Government should have that authority. So subject to this, further consideration can be given to it as to how this could be done, so that a fuller consideration of this and like matters was necessary so that the fundamental rights might be applied with such modifications and exceptions as might be considered necessary from this point of view, and agreed upon.

Then in regard to the Supreme Court, it was agreed that the Supreme Court should have original jurisdiction in respect of disputes mentioned in article 131 of the Constitution of India. It was further agreed that the Supreme Court should have jurisdiction in regard to fundamental rights which are applied to that State. On behalf of the Government of India we recommended that the advisory tribunal in the State which is designated as His Highness's Board of Judicial Advisers should be abolished, and the jurisdiction exercised by it should be vested in the Supreme Court of India, that is to say, that the Supreme Court should be the final Court of Appeal in all civil and criminal matters as laid down in the Constitution of India. The Kashmir Government delegation had no objection to this. They were prepared to agree but they said they would like to consider the matter in some detail further.

Now I come to the question which has been much discussed and referred to in the newspapers, the question of the Head of the State.

I might mention that apart from past history when this Constituent Assembly met in Kashmir, the inaugural address to that Assembly stated quite clearly some of the policies that they were going to pursue, and among these policies was the election, by democratic process, of the Head of the State. That has been the declared policy of the National Conference Organisation in Kashmir for a long time.

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We had no objection with regard to the enunciation of that principle then. Now, after careful consideration—because we have always had to consider two matters: firstly to give effect to the wishes of the people of the State and secondly, to give effect to our own Constitution—we have come to an agreed formula. Of course, you will not attach too much importance to the language—a word here or there. For legal and constitutional purposes the words may be changed, but it describes the way we have been thinking and what we have agreed to. Now it was agreed: (1) that the Head of the State shall be the person recognised by the President on the recommendation of the Legislature of the State. (How the Legislature of the State recommends is a matter for the Legislature. Whether it is by the process of election or not it is for them to decide: it may be by the process of a majority, or two-thirds majority; it is entirely for them to decide. Anyhow they recommend and then it is for the President to recognise). (2) He, that is, the Head of the State, shall hold office during the pleasure of the President. (3) He—the Head of the State—may by writing under his hand addressed to the President, resign his office. (4) Subject to the foregoing provisions of this article, the Head of the State shall hold office for a term of five years from the date he enters upon his office, provided that he shall, notwithstanding the expiration of his term, continue to hold office until his successor enters upon his office. That is so far as the Head of the State is concerned.

Then there has been a good deal of misunderstanding in regard to the National Flag. This has been cleared up, I think, adequately by public statements made. Nevertheless, we thought that this should be further cleared up. Sheikh Abdullah, the Prime Minister of Jammu and Kashmir State, had stated publicly that the question did not arise so far as they were concerned, because the National Flag was the supreme flag and it had exactly the same status and position in the Jammu and Kashmir State as in any other part of India. The State Flag was in no sense a rival to the National Flag, but for historical and sentimental reasons connected with their struggle for freedom in Kashmir, they wanted this State symbol to continue. This was agreed to. It was added that this should be made clear in a formal manner, preferably by the Constituent Assembly of the State.

Then in regard to the President of India, it was agreed that the powers to reprieve and commute death sentences etc. should belong to the President of India.

There has been some talk about financial integration. It was decided that such financial arrangements between the State and the Government of India should be considered further and details worked out. The position, as I said, is a dynamic, changing one. Matters have to be gone into in some detail; so whatever the financial arrangements might be, we shall gradually work them out.

Then there is the question of emergency powers contained in our Constitution, more especially in our article 352 of the Constitution. It was agreed to; I will remind the House what article 352 is: in case of invasion, external danger or internal disturbances, the President has power to declare a state of emergency, and then various consequences flow from it. This Parliament is then seized of the position. Now this was agreed to; but the friends from Kashmir were slightly apprehensive of what 'internal disturbances' meant there. For the rest they have said, of course, if there is a grave emergency this should happen. So, with regard to adding some words to clear up, not to clear up that matter but rather to bring in the fact that in the case of internal disturbances any action taken should be with the concurrence of the Government of the State, it was agreed that article 352 of the Constitution should apply to the State with the addition at the end of the first paragraph of the following words:

"but in regard to internal disturbances, at the request or with the concurrence of the Government of the State"

That is, the state of emergency will be declared with the concurrence of the Government of the State.

These are the principal things that have been discussed and I think that we have arrived at very satisfactory decisions—agreements which are in consonance with the wishes of the people of Kashmir and in consonance with our Constitution. I would repeat that there is nothing final about this and gradually we can fill in other details later. I presume that at the present moment, as I said, the relationship of Kashmir with the Union of India is governed more or less by article 370 of our Constitution. Now the accession has been complete. There is a certain confusion in people's minds. The accession is complete in law and in fact, Jammu

and Kashmir State is a constituent unit like any other. It is a part of the territory of India, the people of Jammu and Kashmir are citizens of India like any other. But the fact that the subjects to which Jammu and Kashmir has acceded are limited, or less than those applying to other States, that fact produces this misunderstanding as if there was partial accession. That is not so: Accession is quite complete. In fact, all the States acceded only in regard to these three subjects to begin with. It may be that we may have more subjects later, but we are proceeding and we propose to proceed always in such matters with the consent of the other parties concerned. Now, presumably the President of the Union will have to issue some order under article 370 of the Constitution to give effect to any of these modifications or changes that we have suggested.

I am very grateful to you, Sir, and to the House for the indulgence shown to me.

**Shri N. C. Chatterjee (Hooghly):** Sir, on the 26th June the hon. Prime Minister, while speaking on Kashmir, gave some kind of an assurance to the House that the House would have an opportunity of a full-dress debate on Kashmir. Having regard to the important matters we have now heard from the Prime Minister, we want an assurance, Sir, that that undertaking will be fulfilled and the House will be given an opportunity of discussing the matter through a full-dress debate, especially when there are certain things proposed which will mean the amendment of the Constitution. . . . .

**Mr. Speaker:** Order, order. That argument could not be gone into at this stage. The only request is whether Government will give some time for a further discussion of this question.

**Shri Jawaharlal Nehru:** Yes, Sir. Government is perfectly prepared to give time or a day for consideration of these matters, for a full discussion. I hope that hon. Members will be prepared to stay on here as long as necessary for this and other purposes.

#### MESSAGE FROM THE COUNCIL OF STATES

**Secretary:** Sir, I have to report the following message received from the Secretary of the Council of States:

"In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Council of States, I am

directed to inform you that the Council of States, at its sitting held on the 22nd July, 1952, agreed without any amendment to the following Bills which were passed by the House of the People at its sitting held on the 16th July, 1952, namely:

1. The Indian Tea Control (Amendment) Bill, 1952.
2. The Rubber (Production and Marketing) Bill, 1952.

#### RESERVE AND AUXILIARY AIR FORCES BILL

**Shri B. Das (Jajpur-Keonjhar):** When the House adjourned yesterday I was just making a few preliminary remarks. I gave my full support to the measure which my hon. friend, Shri Gopalaswami Ayyangar had brought forward and I told him that though the measure is belated I would give him full support in the matter. Though India through its leader, the Prime Minister, stands for the peace of the world, that peace can only be maintained by building up an efficient Defence Force. I submit that though we have advanced to various stages of sovereignty in other Ministries, in the Defence Ministry we are still trudging on in the old Grand Moghul style of the I.C.S. Secretaries who ruled 25 years ago, and there is no change in the organisation and conception of the Defence Ministry. My friend, Shri Uma Charan Patnaik referred to it and I was rather saddened to read the three passages in the financial memorandum attached to the Bill, which of course is not drafted by my hon. friend, the Minister but by the I.C.S. Secretary who controls the Defence Ministry. My friend is a little bit saddened that there is no finance available. Well, finances must be provided from within the Defence Budget.

[MR. DEPUTY-SPEAKER *in the Chair*]

In the first paragraph of the financial memorandum it says, the Bill "does not involve immediately any appreciable extra expenditure". In the third paragraph entitled "Air Defence Reserve", it says;

"The size of this Reserve has also to be determined keeping in view the capacity of the Indian Air Force to provide training and the amount of money available in the Defence budget."

In the last paragraph on "Auxiliary Air Force" it again refers to finance:

[Shri B. Das]

"The actual building-up of this Force will have to be planned and carried out very carefully in accordance with the budgetary position each year."

What I read in these three passages is that finance is on the brains of the Defence Ministry. The Defence Ministry, ruled as it is by the I.C.S. tradition, is upset over retrenching in other directions in order to provide an efficient Defence Force for India in its three arms. My hon. friend, Shri U. C. Patnaik, in his usual exuberance said that it is the duty of the taxpayer to provide any finance that is required to build up a defence force of his conception. That is not so. There is enough money in the Defence Budget—nearly Rs. 227 crores. There should be only one Supreme Commander who should preside over the three wings, and side by side with that, there should be expansion. While I welcome expansion, I do not welcome expansion under the command of British officers, as is the position in respect of the Air Force and the Navy.

It seems everything in the Defence Ministry is sacrosanct. They adopt the hush-hush method, which was the tradition of Mackworth Youngs, Tottenhams and among Indian Secretaries, of Trivedis. They say, "Do not ask any questions about Defence. It is sacrosanct." I tell you, Sir, nothing is sacrosanct. We have attained our sovereignty and we must be taken into confidence, so that we may judge whether things are done in the interests of India or in the interests of the white officers from the United Kingdom.

The hon. Finance Minister is hard hit. He is economising in every direction. But the Defence Ministry following the tradition of twenty five years ago does not want any civilian—in fact, not even the Minister of Defence—to pry into the administrative secrets and policies of that Ministry. They appointed a Departmental Economy Committee. Up to now we do not know what work that Committee did and whether there has been any retrenchment and whether the files have been traced.

**The Minister of Defence (Shri Gopalaswami):** May I make an appeal to my hon. friend? I do not raise it as a point of order. His passion for economy in Defence expenditure is well known and my greatest sympathy is with him for the purpose of realising as much of that economy as is possible. But we are now discussing the Air Force Reserve Bill. I do not know if we need spend time in the

course of this discussion on the general economy in Defence expenditure. Perhaps he may relate it to the Air Force Reserve Bill later on, but if he will reserve such suggestions as he has for economy generally in Defence expenditure for another occasion, it will be more profitable to me so far as I am concerned.

**Shri B. Das:** I welcomed my hon. friend when he became the Defence Minister, because I have confidence and faith in him. I do hope he will give me an efficient army and an army which is run on sound and economical lines. It is not my fad to talk of economy, but I can say that the economy of Rs. 25 crores which my hon. friend Shri U. C. Patnaik suggested will materialise if the hon. Minister would seriously think about it. It is not to find fault with him that I am saying this but it is to bring out the cavalier manner in which the Defence Ministry has been pursuing its policies since August 1947.

**Mr. Deputy-Speaker:** If this Bill is passed and these reserves are established, what may be the probable additional expenditure?

**Shri Gopalaswami:** It is difficult to estimate it, Sir. These Reserves have got to be first established. They have then to grow. Therefore, the expenditure might be small in the beginning and might grow further later on and it is not possible to indicate the probable expenditure.

**Shri B. Das:** I must thank the Chair for elucidating the matter and taking it a little further. Just now I quoted a sentence from the financial memorandum, which was very alarming to me when I read it. It read thus:

"The actual building-up of this Force will have to be planned and carried out very carefully in accordance with the budgetary position of each year."

Nothing has been planned. I do not blame my hon. friend; I have full confidence in him. But I want his Ministry to be alert and active, which it is not today. They rely in the Ministry on the advice of English Army Generals and officers. How can they build up and plan an efficient Army for India?

No doubt, the Defence Ministry is an independent, autonomous body in the Government of India, but if you look at the several Defence Acts passed in this House, you will be shocked

at the rule-making powers we are asked to give them. Clause 33 says:

"The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act."

Nowhere is it said that those rules will be laid before Parliament. Since 1947 a new tradition is being followed and every Minister gives us an assurance that the rules will be laid before Parliament and in an important matter like Defence, our dignity requires that the rules must be discussed in this House. Why does the Defence Ministry follow this hush-hush policy and thinks "Nothing shall be told to the Parliament composed of the representatives of the people." I ask you: who are they to plan to defend the people of India? Who are they to make rules for the conduct of the Defence Forces? But if they actually do make those rules, then they must take the approval of this House. I do hope that when the Joint Select Committee is formed, it will insist on the hon. Minister inserting a clause to this effect. We have been following this procedure since 1947.

**Mr. Deputy-Speaker:** May I remind him that the Bill is going to the Select Committee?

**Shri B. Das:** Thank you, Sir, but the closing sentence of the Defence Minister's interpretation was a little bit argumentative and involved.

I wish to reply to one of the points made by my young friend Mr. Patnaik. He waxed eloquent at what is going on in the United Kingdom from 1920 onwards. If he were of my age and had had the sad experience which I have had within this House when in 1920 the British rulers passed the Auxiliary Force Act, he would have formed a different opinion. For what was that Act passed? For enrolling Anglo-Indians and Englishmen so that they can put their bayonet to my chest. They did it in Bombay. Very often the Auxiliary Forces were called to suppress strikes and labour agitation in those early days. I am not referring to the present era. We had the Indian Territorial Force; but the foreign rulers saw to it that nothing was done for it. I am very happy at what the hon. the Defence Minister is doing now. The Defence Ministry is outdated: It is antedeluvian. I find I.C.S. Secretaries running about for purchasing armaments and war materials. What experience have these I.C.S. men got? How are they experts, and that too Army experts? That is my charge against the Defence Ministry. Combine the three Com-

mands: have a Supreme Command, so that there will be better coordination—not Secretaries running to Berne or all over the world to purchase war materials. Is that the duty of a Secretary? When is he to work in office, if he goes about doing these things and gambles our fate. I know more—the Defence Minister too knows more about it. So, I will not refer to it further.

We cannot adopt whatever U.K. has been doing. There is concept of freedom among the British people. In India we have yet to develop that, non-violent as most of our background has been. We are not disciplined. We have yet to cultivate a patriotic sense for us to have a national militia. There should be a rule that every able bodied youth must serve as a soldier for five years, so that he may be drafted to defend the country in an emergency. That spirit has not yet developed among the youth of India. I am not for a moment blaming the youth of India. I am not saying that they are not actuated by the spirit of patriotism.

My hon. friend Mr. Patnaik quoted Lord Haldane. Lord Haldane, I thought, was a philosopher. Mr. Patnaik said that they put their back to the wall and fight. Here I stand with my back to the wall to fight with my own Defence Ministry, with the secretaries who are reactionaries, who are anti-national and who have done very little in these five years for the Defence of India. What can my hon. friend Mr. Gopalswami Ayyangar do? What can you do? You are a non-official. My Prime Minister is the apostle of non-violence. How can we fight if our Secretariat is not properly organised and they repeat in reply to our questions, the answers we heard in 1925. So, scrap the Secretariat and start a new one and you will find our Defence is properly organised.

Another thing which I want to tell my friend Mr. Patnaik is that we are not going to imitate England. If we have to organise our Defence we must go to other nations. Belgian experts are good for all other nations, but they are not good for India, because our I.C.S. servants are following the old traditions. They believe too much in the British contact and in the British association. They buy fourth class Defence materials which are of no use. In the name of the Kashmir war and in the name of other emergencies they placed orders worth crores of rupees. The orders are yet to be executed after three or four years. That is their capacity; that is their brain.

[Shri B. Das]

You may not trust me, because economy is in my head. But please trust some of us: trust three Cabinet Ministers. Let them enquire into the follies and mistakes of the Defence Secretariat for the last three or four years and you will save Rs. 25 crores only on that. There are crores of money lying with little bankers in France and England. These moneys could help our development. They could have helped the Finance Minister who has to borrow crores and crores in the market. He is reduced to such circumstances that it is the small savings that is helping him in our economy and in our prosperity. These capitalists—I see none here. . . .

**Babu Ramnarayan Singh** (Hazari-bagh West): They are there.

**Shri B. Das:** They are my comrades. These capitalists do not subscribe to the loans. They have no money! Last year they subscribed Rs. 7½ crores. They are hostile and inimical to the nation; they are unpatriotic. It is small people like us and outside who are helping with hundreds of crores of savings by which the Government of India is carrying on. It is the duty of every citizen to come to the help of the nation. The servants of the Ministry should consider it a duty not to squander our money. I can give you in private information of crores of rupees lying here and there.

**Mr. Deputy-Speaker:** The hon. Member is perhaps assuming that this is a general discussion on the Finance Bill.

**Shri B. Das:** I am just telling the House how money is being squandered in the Defence Ministry and how it can be utilised for this Auxiliary Air Force. I am trying my best in spite of my erratic temper, to keep myself cool and to help the new Defence Minister who is a very old friend of mine and in whom I have full confidence. Let us set our House in order.

I want the hon. the Defence Minister, in spite of my suspicions and doubts: of his Secretariat, to remember that we are patriots.

**Mr. Deputy-Speaker:** is there any clause referring to Secretaries here?

**Shri B. Das:** How can this measure at all operate if the Defence Secretariat sleeps until somebody asks a question after four or five years as to how the Naval and Air Force Reserves have been working. A reply will be drafted that no progress has been made because there was no money. Unless you have an efficient machinery, no

progress could be made and no efficient Defence Force could be created.

With these observations to enlighten the fresh mind of my friend the Defence Minister and to tell him that every thing will be O.K. if he can control the Ministry and do away with the I.C.S. Secretaries who have the minds of Tottenhams and Muddimans and Haileys, I shall conclude.

**Shri Dhulekar** (Jhansi Distt.—South): I beg to support this Bill. I have read the main portions of the Bill. The Statement of Objects and Reasons to the Bill says that "It is necessary to constitute certain Reserves for the Air Force in order to enable quick expansion in an emergency". I wish to submit that the object that has been put before us cannot at all be fulfilled by this Bill and also by the provisions that are to be made which have been enumerated in the financial memorandum attached to the Statement of Objects and Reasons. Under the heading Auxiliary Air Force it is written: "This force will ultimately consist of seven Squadrons, each Squadron roughly consisting of twelve aircraft and necessary officers, airmen and followers." Kindly mark the word "ultimately". The word "ultimately" is very unfortunate. If the words were that the force to begin with will consist of seven Squadrons, that would have been sufficient, or would have been something. Because, that would have meant that at least 84 aircraft will be supplied with necessary officers, and sufficient number of airmen and followers will also be trained with the help of these eightyfour aircraft. Now, the word "ultimately" has been put in, and the hon. Minister has not specified what will be the ultimate period—whether we will reach the maximum in five, ten or twelve years.

Even if we begin with 84 aircraft, then also I would submit that the object of constituting reserves for the Air Force in order to enable quick expansion in an emergency cannot be fulfilled. So my first point is that if it is meant for quick expansion, then the word "ultimately" in the Statement of Objects and Reasons is wrong, and I would certainly request the hon. Minister to revise the position and tell the House if quick expansion in an emergency has to take place what will be the period.

The second thing that is unfortunate in this matter is that this expansion has been made subject to certain things. It is said: "The size of this Reserve has also to be determin-

ed keeping in view the capacity of the Indian Air Force to provide training and the amount of money available in the Defence budget." So here also the hon. Minister is not definite as to what he will do if this Bill is passed. He does not tell us that he will be able to start with a particular contingent of aircraft for training purposes. He does not say that. Everything he leaves to the budgetary state of the finances.

Then, under Regular Air Force Reserve also there is a very unfortunate sentence in the financial memorandum, namely: "The final strength of this Reserve is still to be determined although the Reserve will come into being soon after the passing of the Bill because all suitable officers and airmen who have retired from the Indian Air Force will be placed on the Reserve." My point of submission is this, that before placing this Bill before the House the hon. Minister ought to have come to some conclusion as to what will be the strength of the reserve. The final strength of this reserve is still to be determined. When all the data was before the hon. Minister, when the Military Department knew that so many officers were already on the retired list, and there were so many licence-holders—Chapter III mentions different kinds of licence-holders, radio technologists and so on, air pilot and other categories, they know it—when the Military Department had all knowledge of it, to say. . .

**Shri Velayudhan** (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): Before the Bill was contemplated?

**Shri Dhulekar**: Yes, they have everything in their possession, they ought to know it, because an ordinary man does not keep an aircraft or become a pilot. When that pilot first applies to the Air Club or to the Civil Aviation Directorate, he is registered there. When he is granted a licence, his name is registered. And it is put here in Chapter III that there will be a register where all these people will be enrolled. I submit therefore that it was necessary and possible to know beforehand as to what will be the final strength of that Reserve. My objection is that the whole facts have not been placed before the House.

Then, in regard to Air Defence Reserve it is said: "The constitution of the Air Defence Reserve requires that a census should be taken of the civilian technical manpower available in the country which could be utilised if occasion arises." I may say that this census is quite redundant. Because, the population of India is more than

35 crores and everybody knows that there are several crores of able-bodied people, and we also know that there are a large number of educated people who have passed the Matriculation examination and who are also in the Universities. Therefore, I do not understand why there should be a census in order to know the civilian technical manpower available in the country. I think the position ought to have been very clear before this Bill was brought before the House. It is said:

"All persons within certain age limits possessing certain flying or other technical qualifications would be required to furnish certain particulars to the appropriate authority and submit themselves for medical examination. A register of persons who are fit for service would be maintained, and if and when occasion arises persons whose names are entered in the register will be called out for service."

I submit that although the grounds on which this Bill is based are good and necessary, the Bill should have been more liberal and in the Statement of Objects and Reasons, the House should have been informed that a large number of young men will get an opportunity of enlisting themselves in this Auxiliary Air Force. When it is stated that there would ultimately be only seven Squadrons, then certainly, I must say that my heart sinks and it is very difficult to be enthusiastic over a Bill which will ultimately after ten or 15 years have only seven Squadrons of 84 aircraft by which a population of 12 crores of young men will get something of this Air Force fighting capacity. I expect that the hon. Minister will certainly give us more facts and also try to revise the decision that has been taken for having only seven Squadrons. I think it should be more and the word 'ultimately' should not be put in there. I hope the hon. Minister will assure us that he will begin with seven Squadrons and within a few years, say five years, he will at least have bigger centres for teaching air-craft piloting, the technology etc. in all parts of the country.

**Mr. Deputy-Speaker**: Hon. Members will be as brief as possible. We have already spent a lot of time over this matter. I say this in view of the fact that it goes to the Select Committee.

पंडित मुनीश्वर दत्त उपाध्याय (जिला प्रताप गढ़-पूर्व) : इस विधेयक का विषय बड़े महत्व का है और मुझे बड़ी प्रसन्नता है

[ पंडित मुनीश्वर दत्त उपाध्याय ]

कि हमारे माननीय मंत्री जी ने अब एक ऐसा प्रबन्ध सोचा है कि जिस के जरिये से हमारे देश में रक्षा का पर्याप्त प्रबन्ध थोड़े दिनों में हो सकेगा ।

जहां तक डिफेंस (Defence) के प्रबन्ध का सम्बन्ध है यह बड़े महत्त्व की चीज है और इसी लिये हम इस पर अपने देश की आमदनी का एक बड़ा हिस्सा लगाते हैं। लेकिन इस रक्षा के सम्बन्ध में मुझे विशेष रूप से यह निवेदन करना है कि इस में कई परिवर्तन करने की जरूरत है। पहले हमारे देश में और दुनिया में फौजों का बड़ा महत्त्व था और अगर बहुत बड़ी फौज हो तो उस से हमारे बहुत से काम चल सकते थे। उस के पश्चात् जहाजी बेड़े पर ज्यादा जोर दिया गया और बहुत वर्षों तक जहाजी बेड़े का स्थान बड़े महत्त्व का रहा। लेकिन थोड़े दिनों से न तो फौजों का वह स्थान रह गया है और न जहाजी बेड़े का वह स्थान रह गया है जो कि पहले था। इस वक्त जो सब से उच्चतम स्थान है वह हमारे हवाई बेड़े का है। और हमारा जो बजट इस वक्त है उस को देखते हुए हम यह महसूस करते हैं कि हम को अपने हवाई बेड़े पर जितना खर्च करना चाहिये उतना हम खर्च नहीं कर रहे हैं। अब भी हमारा खर्च दूसरे रास्तों पर ज्यादा हो रहा है और इस हवाई बेड़े पर हमारा खर्च कम है। इस में सन्देह नहीं है कि यह एक ऐसा बेड़ा है जिस को बढ़ने में थोड़ा सा समय लगता है। इस में कुछ टेक्निकल ट्रेनिंग (technical training) की जरूरत होती है, लोगों को तैयार करने की जरूरत होती है। उस में खासा समय लगता है। उतना समय तो जरूर लगाया जाये। लेकिन मैं समझता हूँ कि इस पर जितना ध्यान दिया जाना चाहिये उतना ध्यान अब तक नहीं दिया जा रहा है।

यह जो रिजर्व (reserve) हम बनाने चले हैं इस में भी हम बहुत सी शर्तें लगाते जा रहे हैं। हमारे यहां एक तो बैसे ही थोड़े आदमी हैं जो इस रास्ते पर ट्रेन्ड (trained) हैं। उनकी संख्या बहुत कम है। जब तक हम इस को बहुत आकर्षक नहीं बनायेंगे तब तक हम काम करने वालों की खासी संख्या नहीं पा सकते। पहले इस के कि हम ऐसे रिजर्व पर ध्यान दें आवश्यकता तो यह है कि जगह जगह पर फ्लाइंग क्लब (Flying club) खुले हों और दूसरे ऐसे इंस्टीट्यूशन्स (Institutions) हों जहां पर ऐसी ट्रेनिंग मिल सके। अगर इन इंस्टीट्यूशन्स में हमारे नौजवानों को ट्रेनिंग मिल सकेगी तो हमको हवाई बेड़े के लिये बहुत से लोग मिल सकेंगे। तो इस के पहले कि हम इन रिजर्व्स को बनायें इन के लिये खासी तादाद बनाने के लिये यह आवश्यक है कि हम पहले कुछ प्रबन्ध करें कि हमारे नौजवानों को कहीं न कहीं क्लबों में या और इंस्टीट्यूशन्स में इस चीज की शिक्षा मिले और इस शिक्षा के लिये हम को अपने बजट में यह प्रबन्ध करना पड़ेगा कि उस का काफी हिस्सा इस बात पर लगाया जाये। तो जैसा कि मैंने निवेदन किया हमारे यहां जो तीन शाखायें हैं जिन पर हम रक्षा के सम्बन्ध में खर्च करते हैं, उन में से हवाई बेड़े पर हम को सब से ज्यादा खर्च करना चाहिये। इस बात को मद्देनजर रखते हुए मैं समझता हूँ कि जो विधेयक हमारे सामने रखा गया है वह बड़ा आवश्यक है और मैं समझता हूँ कि हमारे जितने साथी हैं वह सब इस का स्वागत करेंगे। लेकिन इस का स्वागत करते हुए भी हम देखते हैं कि जितनी सहूलियत लोगों को इस में दाखिल होने के लिये दी जानी चाहिये वह सहूलियतें नहीं दी गई

हैं। बहुत से लोग जो कि इस काम में सहायक हो सकते हैं वह नौकरियों में लगे हुए हैं। उन को वह नौकरियां छोड़ कर इस काम पर आना पड़ता है। जब वह आते हैं तो उन के रास्ते में तरह तरह की अड़चनें पेश आती हैं और यहां से लौट कर जाने पर उन को अपना काम मिलने में मुश्किल होती है। यहां से लौट कर जाने पर उन को अपना स्थान भी नहीं मिलता, जो वेतन उन को मिलना चाहिये वह नहीं मिलता, कभी कभी वह तरक्की जो कि वह वहां रहकर कर लेते वह नहीं मिलती हैं। इस वजह से बहुत से लोग जो कि स्थान पा गये हैं वह आने की सोचते नहीं हैं। इस लिये जो लोग कि बेकार हैं वह इस तरफ आते हैं। और जैसा कि हम ने शुरू में निवेदन किया ऐसे लोग जो कि बेकार हैं उन की कोई ट्रेनिंग नहीं होती है। उन की कोई शिक्षा नहीं होती है। वह इस में कारगर नहीं हो सकते। तो इस को आकर्षक बनाने की आवश्यकता है कि हम को वेतन या और जो कुछ भी दे सकते हैं उस में काफी लिबरल (liberal) रह और ज्यादा देने की कोशिश करें। तो एक बात तो हम को यह करनी चाहिये।

दूसरी बात यह कि हम उन पर जो दुनिया भर के प्रतिबन्ध लगा रहे हैं वह नहीं होने चाहियें। एक प्रतिबन्ध जो मैं ने विशेष रूप से देखा वह यह है कि ३७ वर्ष से ऊपर के लोग तो इस में लिये ही नहीं जायेंगे। मैं समझता हूँ कि ३७ तो क्या ४०, ४५, या ५० वर्ष तक के लोग इस में आसानी से काम कर सकते हैं। चूंकि हमारे यहां शिक्षित आदमियों की कमी है इस लिये मैं समझता हूँ कि यह उम्र का जो प्रतिबन्ध है वह बड़ा दिया जाये। मैं नहीं जानता कि इस पर जो हमारे टेक्निकल ऐक्सपर्ट्स (technical experts) हैं वह क्या राय रखते हैं।

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अगर यह असम्भव है कि उस उम्र से ज्यादा वाला कोई काम कर ही नहीं सकता है तब तो दूसरी बात है लेकिन आम तौर पर जैसा हम देखते हैं यह असम्भव नहीं मालूम होता है।

अब सब से पहली आवश्यकता जो कि संख्या के बारे में है उस में तो दिक्कत है ही। इस के अलावा उन के पास कोई सामान भी नहीं होता है। हमारे यहां एयर क्राफ्ट (Aircraft) के तैयार करने का कोई प्रबन्ध नहीं है जिस से कि हम इस बढ़ती हुई संख्या को, इस बढ़ती हुई ताकत को, सामान पहुंचा सकें और अपना बड़ा स्वयं बना सकें। यह बहुत ही आवश्यक है कि हम इस बात पर ध्यान दें कि यह सामान हमारे देश ही में तैयार हो। अगर हम इस बात पर ध्यान देना जरूरी समझते हैं तो हमारे बजट का एक बहुत बड़ा हिस्सा इस पर चला जायेगा। इन मशीनों के बनने में इस तेजी के साथ तरक्की हो रही है कि दो तीन साल बाद हमारी मशीनें बेकार हो जाती हैं। क्यों कि उन से बहुत तेज जाने वाली और बहुत अच्छी मशीनें दूसरे देशों में बनने लगती हैं। तो इस लिये हम को इस पर भी ध्यान देना होगा कि कितनी जल्दी जल्दी हम को बदलना पड़ेगा। और कितना रुपया इस पर खर्च होगा। तो जैसा मैं ने निवेदन किया कि जिस रास्ते पर हम चलने को तैयार हो रहे हैं इस में बहुत रुपया खर्च होता है। इस प्रश्न को हम को सोच लेना चाहिये। अब तक अपने समुन्द्री बेड़े के लिये जिस तरह हम विदेशों पर निर्भर रहे हैं उसी तरह इसमें न रहें। अभी हमारे ऐक्सपर्ट और सलाहकार वहीं से आते हैं और हम उन्हीं पर निर्भर रहे हैं। अगर इस एअर फोर्स (Air Force) के बारे में भी हम दूसरे देशों

[ पंडित मुनीश्वर दत्त उपाध्याय ]

पर निर्भर रहेंगे तो एक समय ऐसा आयेगा कि हम अपने को बेबस पायेंगे

इस वास्ते आवश्यक यह है कि एक तो रुपये का प्रबन्ध होना चाहिये। इस में ज्यादा फंड दिया जाय और यहां पर इसके सामान के तैयार करने का, भी प्रबन्ध किया जाये।

तीसरी बात यह है कि जो लोग इस में आवें वह जहां कहीं से भी आयें वह जिस जगह से भी आयें जहाँ कि काम कर रहे हों तो वहां से आने पर यहां भी उन की सहूलियत का प्रबन्ध होना चाहिये। और इस में जब तक रहें तब तक उन को ऐसा वेतन मिले जो कि आकर्षक हो। तभी लोग इस में आ सकते हैं। फिर जो प्रतिबन्ध लगाये गये हैं उन को अगर ढीला कर दिया जाये, हटा लिया जाये, तभी हम थोड़े दिनों में शायद इस काबिल हो सकें कि हम और देशों के मुकाबले में आ सकें।

जैसा मैं ने निवेदन किया अब तक इस में खर्चा बहुत कम हो रहा है। मैं समझता हूँ कि यह बार बार मंत्री जी के सामने भी आ चुका है और इस सदन के सामने आ चुका है कि जहां तक इन तीन शाखाओं के खर्चों पर हम ने गौर किया है जो आवश्यक अंग हैं उन पर खर्चा कम हो रहा है। इस खर्च में हम को इस तरह एडजस्टमेंट (Adjustment) करना चाहिये कि हम खर्चा अधिक तर एयर फोर्स पर अपने हवाई बड़े पर, करें। इस में मैं एक बात और निवेदन करूंगा कि फाइनेंस (Finance) के लिये जो पैसे को मुहय्या करने का प्रबन्ध इस में जो बताया गया है उस से जान पड़ता है कि हमारी सरकार का ध्यान इस में केवल इतना ही है कि एक छोटा सा कोई रिजर्व बन जाये। ऐसा नहीं है कि एक इस तरह का

रिजर्व बने जिस में इतनी शक्ति हो, जिस की इतनी संख्या हो कि जो हमारे देश की रक्षा के लिये पर्याप्त हो सके। मैं निवेदन करूंगा कि इस पर अधिक म्यान दिया जाना चाहिये, पैसे के बारे में, और यहां सामान बनाने का भी प्रबन्ध होना चाहिये और जो प्रतिबन्ध हैं उन को हटा कर संख्या को बढ़ाने का प्रबन्ध करना चाहिये।

**Shri A. C. Guha (Santipur):** I think there will be no disagreement in this House about the utility of his Bill. Rather, all the Members have been making a complaint that it has come too late and that it envisages too modest a scheme. Though we spent such a large amount on Defence, I think we have not given, so long, due weight to the importance of the Air and Naval side of our Defence. This is only a halting attempt to give some importance to the Air Forces of India. I do not want to take much of the time of the House by stressing the importance of Air Forces in the present stage of international strategy. It is admitted that no country has any fixed frontiers now. So, Air is the most important item of the Defence Forces in any country. But, my view is that the Bill which is envisaged will not fulfil the purpose.

This Bill has its counterpart, as regards the Army, that is the infantry, in the Territorial Army Act of 1949. It was amended this year some months ago. Only four days ago in this House, in reply to some questions, the hon. Defence Minister could not give us any assurance that the Act, even after amendment, has been able to create much enthusiasm in the country or bring into existence a big Territorial Army. When I put the question that some difficulties are being experienced even in Government offices—as employers—by their employees in joining the Territorial Army, he could only give this assurance that the Government have been regularly circularising all the departments so that their employees may get proper facilities. But, as far as I have been able to gather and also to infer from the hon. Minister's reply, sufficient progress has not been made as regards the territorial Army and this is mainly due to the fact that the employers do not give proper facilities to their employees to join the Territorial Army and these men do not get security of service, promotions and all these

things if they join the Territorial Army. Even Government offices do not give that security.

If the Government passes a Bill and its purpose is not implemented even by the Government itself, I think, the hon. Minister has to thank himself for that and consider what steps he should take. I apprehend this Bill also may share that same fate. I do not know whether the Minister can give us this assurance that he will be able to create that sense of security of service, compensation, facilities and promotions and other things to the prospective candidates if the employers are not quite willing voluntarily to give them such facilities. That is the first point on which the Minister should give us an assurance; whether the prospective candidates would get proper facilities from their employers so that they might join these Reserve Forces.

This Bill is practically a substitution of the Indian Air Force Volunteers Reserve Act of 1939. In that Act, any volunteers failing to comply with the orders, would get a punishment of a fine of Rs. 200. Here, of course, that has been improved and in certain cases, the punishment has been increased to Rs. 1,000 and in case of failure to comply with some of the major directives, punishment that has been provided extends to imprisonment up to six months. I do not know whether it may be possible for the hon. Minister to provide that any volunteers who join these reserves would be subject to all the discipline of the regular Armed Forces and failure to comply with the orders will be treated as if a personnel of the regular Army has failed to comply with the orders of his battalion or contingent.

I have referred previously to the facilities to be provided by the employers. Here I find in clause 26, sub-clause (4) it is mentioned:

“...if the termination takes place after the issue of an order relating to that person under section 24.”

If the employer terminates his service only after the order has been issued, then only that employer is to be penalised. But it is not unusual that even if the order has not been issued, the employer may get a scent that a certain employee of his office would be asked to join the Auxiliary Forces and to go either for medical examination or to join some service, so that he will be absent for some time. In that case, if, getting a previous scent of such an order, the employer terminates the employment of his

employee, nothing is provided here to safeguard his interest. I think there should be some provision that if the service is terminated, say, even one week before the issue of the order, then also that employee should be protected.

Under the Territorial Army Act, it has been provided that:

“no officer or enrolled person shall be required to perform military service beyond the limits of India save under a general or special order of the Central Government”.

But, in this Auxiliary Force, it has been provided:

“air service in India or abroad in an emergency”.

I do not know what this emergency means, and why this different phraseology has been used in two different Acts though they deal with similar subjects. While in the case of the Territorial Army it has been provided that a specific and special order of the Central Government would be required to send a volunteer outside India, in the case of the Air Auxiliary volunteer, nothing has been provided like that. He may be sent abroad just as he may be called upon to do some service within India. I would like the hon. Minister—of course, I can understand the difference in the nature of the duty of an infantry and an Air Force man—and yet, I would like the hon. Minister to explain why two different phraseologies any two different methods have been mentioned in these two different Acts.

Several Members have already pointed out that this is only a permissive Act, and it may lie in cold storage for some time just like several other Acts—the Minimum Wages Act was kept in cold storage for some time, and then the Employees' State Insurance Act also was kept in abeyance for some time. I do not know if the hon. Minister means to implement it immediately or to keep it in abeyance for some time and implement it if and when funds will be available. If he does not mean to implement it immediately, it is no use passing this Act. I think that should be made categorically clear that within a specific date. I would like, before the end of this year at the most this Act would be implemented, and definite steps would be taken so that the Auxiliary Forces may be formed.

I have nothing more to say, and I hope the Select Committee will improve the Bill to meet the complaints made in this House by several other Members.

बाबू रामनारायण सिंह : मेरे पीछे बैठे हुए मित्र चाहते हैं कि मैं अंग्रेजी में बोलूँ, लेकिन मैं उन को बतलाऊँ कि कोई न कोई सदस्य तो यहाँ पर ऐसा होता चाहिये जो हिन्दी में भी बोले, चाहे फिर मेरे उन दोस्तों को उस को समझने में कुछ दिक्कत ही क्यों । पड़े, उन को थोड़ा थोड़ा करके समझने की कोशिश करनी चाहिये । अब हालात बदल गये हैं, हमारा देश स्वतंत्र हो गया है और इस लिये यहाँ पर अब हिन्दी में भाषण होने चाहिये । आज भी अंग्रेजी में बोलने का अर्थ होता है कि लोगों को अब तक गुलामी से मुहब्बत है, इस लिये जहाँ तक भव हो, हिन्दी में ही लोगों को बोलना चाहिये ।

अब मैं अपने असली विषय पर यानी इस विधेयक पर आना चाहता हूँ । यह विधेयक ऐसा है जिस का मैं विरोध तो कर ही नहीं सकता, और मैं इस का किसी न किसी रूप में समर्थन ही करता हूँ लेकिन साथ ही साथ मैं यह जरूर कहना चाहता हूँ कि अभी तक सरकार की तरफ से कोई ऐसा विधेयक नहीं आया है जिस का हम लोग खूब दिल से समर्थन कर सके । शल श्री पटनायक ने बड़ा सुन्दर भाषण दिया । यहाँ तो जो कोई बिल या विधेयक किसी डिपार्टमेंट ( department ) के सम्बन्ध में आता है, उस में तो यही रहता है कि डिस्प्लिनरी ऐक्शन ( disciplinary action ) कैसे लिया जाये और उस का उल्लंघन करने वाले को कितनी सजा दी जा सकती है । मैं भी इस बात को मानता हूँ कि हमें देश की रक्षा करने के वास्ते जबरदस्त से जबरदस्त प्रबन्ध करना चाहिये । मैं इस के विरुद्ध नहीं हूँ, लेकिन अब तो हमारी अपनी सरकार

है और हमें रक्षा के हेतु सिर्फ सरकार ही पर निर्भर नहीं रहना चाहिये । लेकिन मुझे अफसोस के साथ यह स्वीकार करना पड़ता है कि आज भी सरकार और जनता के बीच एक दीवार बनी हुई है और सरकार एक चीज है और जनता एक दूसरी चीज है, इन दोनों के बीच में कोई विशेष सम्बन्ध, या उन की दूरी में कोई घटाव हुआ हो ऐसा मुझे दिखाई नहीं पड़ता है इसी के साथ सरकार उसी पुरानी रीति से चल रही है और यह मालूम नहीं पड़ता कि सरकार चल रही है, क्योंकि उस का चलने का अपना एक अलग डंग है । सरकार तेज चलती है या किस तरह चलती है यह किसी को पता नहीं है, वह तो जैसे वायु चलती है और पानी बहता है, उसी प्रकार सरकार भी इस देश में चल रहा है । होना तो यह चाहिये कि सेना सम्बन्धी जितने भी विधेयक यहाँ आय उस में ऐसी ऐसी बातें रहनी चाहियें जिन का सारे देश में जनता के भीतर प्रचार हो, ताकि जनता भी यह महसूस कर सके कि उस की भी देश के प्रति और रक्षा की जिम्मेदारी है, रक्षा करने का काम सरकार का तो होता ही है, लेकिन सरकार तो रोज आती जाती रहती है, और इस देश में कभी ऐसा भी अवसर आ सकता है कि जिस वक्त कोई भी सरकार न रहे, इस लिये हम को सारे देशवासियों को तैयार करना है, और ऐसे वक्त और अवसर के लिये भी तैयार करना है, हर व्यक्ति को तगड़ा और मजबूत बनाना है कि अगर जरूरत हो तो वह अपनी तथा अपने देश की रक्षा स्वयं कर सके । मेरे कहने का तात्पर्य यह है कि हमें सारे देश में एक सैनिक भाव फैलाना चाहिये, सब कोई बहादुर हों, सब कोई मजबूत हों, और सब के हृदय में अपनी रक्षा अपने आप करने की भावना उत्पन्न हो । सभापति

महोदय इस में कोई शक नहीं कि एक जमाना था कि हमारा देश बहादुरी में दुनिया में सब से प्रसिद्ध था, लेकिन दुर्भाग्य से और भेद भाव के कारण हमारा देश उत्तरोत्तर कमजोर होता गया और गुलाम हो गया और गुलाम हो जाने के बाद तो अब कोई युद्ध करने की बात तक नहीं जानता, अपनी रक्षा स्वयं करना नहीं जानते और उस के लिए कभी पुलिस और कभी पलटन की तरफ ताकते हैं। मैं चाहता हूँ कि समय बदलने के साथ साथ हमारे देशवासियों में से यह भाव भी निकल जाना चाहिये और उन्हें समर्थ बनना चाहिये। और हर एक व्यक्ति को यह समझना चाहिये कि उसे स्वयं अपनी ही रक्षा नहीं करनी है, बल्कि समय पड़ने पर उसे अपने गांव अथवा देश की रक्षा का काम भी करना है। लेकिन आप का जिस तरह से आज काम चल रहा है, उस से मुझे तनिक भी संतोष नहीं है। करीब चार अरब रुपये इस देश की आमदनी है और सब का सब सरकार खा जाती है, और उस रकम से देश को क्या लाभ पहुंचता है, यह बतलाना मुश्किल है।

लेकिन मैं कह सकता हूँ कि जो फौज में खर्च होता है उस का सद्व्यवहार होता है। हमारे भाई बी० दास ने कहा कि रुपया बहुत बर्बाद होता है। मैं कह सकता हूँ कि या तो इस सरकार को रुपया खर्च करने की अक्ल नहीं है या इस में ईमानदारी नहीं है। देश का रुपया तो सरकार पानी की तरह सब जगह बहा रही है। लेकिन और विषयों पर जो रुपया बर्बाद होता है वह बहुत खटकता है। फौज के सम्बन्ध में जो खर्च होता है उससे दूसरी बात होती है। उस से कुछ तसल्ली होती है कि फौज में जो गये हैं वह देश के लिये मरने वाले हैं और जरूरत होगी तो वह देश के

लिये मरेंगे, इस वास्ते इस विषय में जितना भी खर्च हो उस के लिये तसल्ली होती है। फिर भी, जैसा हमारे भाई बी० दास ने कहा है, हमारे आन्दोलन मंत्री को इस बारे में चेष्टा करनी चाहिये कि खर्च ठीक ठीक हो। अब तक जिस तरह का प्रबन्ध होता आया है वैसे नहीं होना चाहिये।

अध्यक्ष महोदय, एक और बात है। अब तक सेना के सम्बन्ध में, चाहे गगन सेना हो, थल सेना हो या जल सेना हो, जो सैनिक लोग हैं उन को सन्तुष्ट रखने का प्रबन्ध नहीं किया गया है। जहां तक मुझे खबर है सेना के लोग कतई सन्तुष्ट नहीं रहते हैं। इस देश का इतना रुपया खर्च होता है तो भी वह लोग सन्तुष्ट नहीं किये जाते हैं। अभी मैं पढ़ रहा था कि इस क़ानून के मुताबिक सरकार नियम बनायेगी और उस के अनुसार बहुत बहुत काम होंगे। लेकिन इस सम्बन्ध में मैं आप से कहना चाहता हूँ कि अब से कुछ पहले की बात है, मैं ने पेन्शन के बारे में एक प्रश्न पूछा था। उस प्रश्न के उत्तर में मुझ से कहा गया कि पेन्शन देना किसी क़ायदे या क़ानून के मुताबिक नहीं है, पेन्शन देना सरकार की मर्जी पर है। उस वक्त कहा जाता था कि यह वो एक प्रेरोगेटिव (prerogative) है।

वित्त राज्य मंत्री (श्री त्यागी) : यह आप से किस ने कहा ?

बाबू रामनारायण सिंह : वह मैं कहता हूँ। सन् १९४६ ई० में मैं ने प्रश्न किया था कि जो पेन्शन सैनिक लोगों को दी जाती है वह किस क़ायदे क़ानून के मुताबिक दी जाती है। इस के लिये सैनिक लोगों को कोई अख्यार या कोई हक़ है कि सरकार की मर्जी से दी जाती है। उत्तर में मुझ से कहा

[बाबू राम नारायण सिंह]

गया कि नहीं "This is not a matter of right, but this is a matter for the prerogative of the King....."

ऐसी बात कही गई थी। अब तक हमारे पास सैनिक आते रहते हैं और बहुत तरह से अपने कष्ट कहते हैं कि हमारी पेन्शन इस तरह से बन्द हो गई, इस तरह से बन्द हो गई और आज जब आप कानून बनाने का अधिकार लेते हैं कि नियम बनायेंगे तो उस में पे (pay) ऐलाउन्स (allowance) बराबर तो है कि वह मिलेगा, उस के लिये नियम बन गये, लेकिन नौकरों को पेन्शन मिलेगी, इस सम्बन्ध में कहीं भी नियम बनाने की बात नहीं कही गई। इस के लिये नियम तो होना ही चाहिये क्यों कि इस से लोगों को बड़ा दृष्ट है, और याद रहे कि इस के बिना लोगों ने बहुत नाराजगी है। यह अंगरेजी राज का जमाना नहीं है कि जब कह दिया गया था कि यह रायल प्रेरोगेटिव है, सरकार की भर्ती है कि पेन्शन दे या न दे। या जब चाहे जितनी कर दे। अब तो हमारा कान्स्टिट्यूशन (Constitution) चल रहा है, आज प्रेरोगेटिव किस का हो, रक्षा मंत्री जी का नहीं, किसी सरकार का नहीं यहाँ तो सारे देश की बात है। देश में जितना काम होगा वह नियम और कानून के मुताबिक होगा। जिस तरह से आज हो रहा है वह ठीक नहीं है। मैं तो रक्षा मंत्री जी से कहूँगा कि उन को इस बात पर ध्यान देना चाहिये कि जो पेन्शन लोगों को मिलती है वह किस नियम से मिलती है। और जो पेन्शन बन्द कर देने या बन्द कर के फिर से जारी कर देने का काम होता रहता है वह किस नियम के मुताबिक होता है। जैसा प्रबन्ध मैं आज देख रहा हूँ वह तो सब गड़बड़ है ही, इस में कोई शक नहीं है। अब एअर फोर्स (Air Force) का कमाण्डर-

इन-चीफ (Commander-in-Chief)

दूसरा रक्खा गया....

**Mr. Deputy-Speaker:** The hon. Member is entering into a larger question. Whatever rules and regulations are there regarding pensions to the rest of the Army will apply to this also.

**बाबू रामनारायण सिंह:** मेरे कहने का मतलब था कि जब आप नियम बनाने जा रहे हैं कि जो लोग इसमें काम करेंगे उन को इतना वेतन मिलेगा, इतना भत्ता मिलेगा तो उस के बाद यह भी लिखना चाहिये कि उस कीसरविस के बाद उस को पेन्शन क्या मिलनी चाहिये। इस वास्ते मैं ने कहा कि ऐसी बातें हमारे पास बहुत बार आई हैं और बराबर आती रहती हैं। और मैं यह कहना चाहता हूँ कि जो डिस्चार्ज्ड सोल्जर्स (discharged soldiers) हैं, जो नौकरी से हटाये हुए सिपाही हैं उन के बीच मैं तो बहुत ही असन्तोष है। मैं इस वास्ते कह रहा हूँ कि पेन्शन नियम के मुताबिक लोगों को मिले जिस में यह असन्तोष न रहे। और जैसा कि हमारे उमाचरण पटनायक कह रहे थे कि फौज में जो भर्ती होती है वह सारे देश से नहीं होती है, किसी किसी राज्य या प्रान्त से होती है, किसी से नहीं होती है, लेकिन मैं समझता हूँ कि और जैसा मैं ने पहले भी कहा कि हम लोगों को यह मालूम नहीं रहता कि कब सेना में नई भर्ती होती है और कब लोगों को भर्ती के लिये दरख्वास्त देनी चाहिये। मैं समझता हूँ कि जैसे थल सेना के लिये है, जल सेना के लिये है उसी तरह गगन सेना के लिये भी सब सूबों में और सब जिलों में ऐडवाइजरी बोर्ड (Advisory Board) बनना चाहिये न कि केवल गगन सैनिक शिक्षा केन्द्रों में। मैं तो कहता हूँ कि भर्ती के सम्बन्ध

में सब जगह, कम से कम हर ज़िले में एक एक संस्था रखनी चाहिये जो अपने अपने इलाक़े में भर्ती का काम करे और जिस तरह थल सेना में भर्ती होती है, जल सेना में भर्ती होती है उसी तरह गगन सेना में भी भर्ती का काम हो। सभापति महोदय, मेरे कहने का मतलब यह है कि सरकार का काम है कि देश को तैयार करे। केवल ऐसी बात न हो कि जो सरकार हो उसी की रक्षा होती रहे और देश के बारे में कोई सवाल न हो। सरकार का काम है कि वह देश की रक्षा करे। मैं तो यहां तक कहता हूं कि सच्ची सरकार का काम है कि जनता को सुसज्जित करे आर्म्स (Arms) से। मेरा तो यह विचार है कि केवल पलटन से काम नहीं चलेगा, देश में सब लोगों के दिल में रक्षा का भाव आयेगा तभी ठीक होगा। लेकिन आप ने तो आर्म्स ऐक्ट (Arms Act) लगा रक्खा है। कांग्रेस में हमेशा यह पास होता था कि जो आर्म्स ऐक्ट है उसे उठा देना चाहिये। लेकिन वह लगा रक्खा गया है। उस के लिये प्रश्न भी किया गया, लेकिन कुछ नहीं हुआ। सरकार को चाहिये कि देश को तैयार करे और इस तरह से तैयार कि अगर ज़रूरत हो तो सरकार को भी हटा कर दूसरी सरकार कायम करे। मैं तो इसी तरह की सरकार को सच्ची सरकार कहूंगा। और यह नहीं कि लोगों को इसलिये तैयार किया जाये कि सरकार की रक्षा होती रहे और ज़रूरत हो तो और दूसरा काम भी हो सकता हो तो हो जाये। यहां तो जो जो काम होता है और जब जब काम होता है उसमें यही लक्ष्य रहना चाहिये कि देश के लोगों को देश की रक्षा के लिये देश के हित के लिये तैयार किया जाये। अभी यह बिल सिलेक्ट कमेटी में जाने वाला है। मैं देखूंगा कि इस में क्या संशोधन होता है और जो जो कमियां हमारे साथियों ने

बताई हैं वह कहां तक पूरी की जाती है। यह भी देखना है। लेकिन इस का विस्तार होना चाहिये और ऐसा प्रवन्ध होना चाहिये कि इस पर ठीक से खर्च हो सके।

अभी हमारे भाई बी० दास ने कहा कि इस में सरविस वाले और आई० सी० एस० (I.C.S.) वाले काम करेंगे। उन को मालूम होना चाहिये कि अब आई० सी० एस० लोग तो मंत्री तक हो रहे हैं, फिर अगर वह सेक्रेटरी और दूसरी जगहों पर हों तो इस में कौन भारी बात है।

एक बात और हमारे भाई बी० दास जी ने यह कही कि इस में सेक्रेटेरियट (secretariat) की प्रधानता है। इस विषय में, अध्यक्ष महोदय, आप ने भी टीका टिप्पणी की थी। यह देश का दुर्भाग्य है कि हम बहुत दिनों से देख रहे हैं कि सेक्रेटेरियट ही असली चीज है। जो कुछ सेक्रेटेरियट कहता है वही ये मंत्री लोग करते हैं और जो कुछ ये मंत्री लोग कहते हैं यह पार्लियामेंट करती है। तो सेक्रेटेरियट तो असली चीज है। और जब तक सेक्रेटेरियट ठीक नहीं किया जायेगा तब तक देश का काम ठीक से नहीं चल सकता और न किसी डिपार्टमेंट का काम ठीक से चल सकता है। यह तो दुःख और लज्जा की बात है कि देश स्वतन्त्र होने के बाद भी वही सेक्रेटेरियट जो हम पर पहले हुकूमत करती थी उसी सेक्रेटेरियट की आज भी हुकूमत हो रही है चाहे सेना विभाग हो, चाहे शासन विभाग हो चाहे और कोई विभाग हो। तो यह बाल खत्म होनी चाहिये। पार्लियामेंट की प्रधानता होनी चाहिये। पार्लियामेंट की प्रधानता तभी होगी जब सब लोग मिलेंगे। जब तक यह दलबन्दी रहेगी पार्लियामेंट की प्रधानता नहीं हो सकती है।

**Shri K. K. Basu (Diamond Harbour):** On the face of it the legislation before the House seems to be commendable. But in view of the opinions expressed by so many hon. Members and more particularly by the most senior Member of the House, Mr. Das, and in view of the fact that in the last few days, especially during the Budget discussion, we heard many things about the working of the Defence Department of the country and how it is still fitted up in the form of the personnel or the supply with the British military machinery, doubts arise in our mind as to the real purpose of such legislation. In this House, and also when I find the hon. the Defence Minister in spite of anybody has developed a rather unusual agility like an ordinary soldier, I do not propose to deal long with this piece of legislation. And as the matter will be agitated in the Select Committee, I shall only deal with certain features which I consider need explanation.

In clause 24, it says that these forces, the Auxiliary Air Forces, may be called up for three purposes: for periodical training and medical examination—we have nothing to say about it. The next says: for service in aid of the civil power. On this particular clause we have doubts. We all want the defence of our country to be paramount to every individual and every Indian worth the name. But we have doubts in view of the form of the Constitution and of the Government that we have today that this particular clause may likely be used for the purpose of crushing things or movements or opinions which may not be to the liking of the party in power. Therefore, I think this matter should be fully considered in the Select Committee and it should be clearly explained for what purpose the Auxiliary Forces are to be called in aid of the civil power. The next sub-clause also says: for Air Force service in India or abroad in an emergency. I do not quite follow what is meant by the words "abroad in an emergency". Does it mean that if the Government of the day thinks fit, then these forces could be sent out to support the causes of those countries who are our neighbours with whom our country has friendly relations to curb down or to check the movements there? That has got to be explained. I therefore ask the hon. the Defence Minister to explain this properly before he calls upon all the sections of the Indian people to support this measure.

There is another factor I would like to bring to your notice. It has been

dealt with by so many Members here—about the service conditions of these personnel. It is dealt with in clause 22. Before I go into detail about it, I want to explain—it is known to everybody—that it is the individual element that counts in any Defence Force of any country. Whatever machinery we may have, whatever striking power we may have, unless we have contented people in the Army to man them no Air Force can show its mettle against odds. The last War has amply proved this thesis. Clause 22 says:

"The service of any officer or enrolled person in the Auxiliary Air Force may, at any time before the completion of his period of service, be terminated by such authority and under such conditions as may be prescribed."

I do not know what conditions the Government want to prescribe. We have experience and knowledge in this country of the fact that the ordinary power of dispensing with the services of the personnel has been misused by those who do not see eye to eye with the other officers even at the cost of our national defence. We have seen—and it has also been dealt with in detail in this House—how these Army officers, though many of them are Indian, have not been able to get out of the old notions, I would rather say, the 'ghost' of British training, and that mental attitude they still possess. Unless that attitude goes, unless we are in a position to change psychologically these officers who have had their training under the British system, there is every likelihood of this particular authoritative power being misused to the detriment of our national interests.

Then again, from clause 26, it is clear that these Auxiliary Air Force personnel who may be called for service away from their permanent employment, have no certainty of getting back their employment. It has been stated here that opportunities will be given to them and if the employers do not reinstate them, a tribunal will be set up to decide about that problem. But even the tribunal is not in a position to force the employer to reinstate that particular person concerned. We have known—and it has also been discussed by an hon. Member in relation to the Territorial Army—how quite a number of persons who went to serve in this Force could not get back their jobs because of the intransigent attitude of the employers. We know very well that unless these persons have a

guarantee that their future will not get stayed, it is very difficult to create that enthusiasm or that spirit which will induce them voluntarily to join these Forces and serve the cause of the nation. These facts and features should be gone into in detail in the Select Committee before the Bill is brought up again in order to secure the support of all sections of the House.

Here I might mention a few facts well-known to Members of this House, namely, the conditions of service of the personnel of the Army. It is a well-known fact that there is a large amount of discontent among all sections of our fighting Forces, especially among the ordinary soldiers. Unless we try to create conditions in which they can feel contented it would be very difficult to say that we will be able to effectively work this piece of legislation when enacted. It is also known to us how in certain airways pilots, whose services we consider so necessary for our Air Force as also for Civil Aviation, were dispensed with at the sweet will of certain individuals. A few months back certain incidents were reported in the Press of a big company in Bombay dispensing with the services of quite a large number of pilots. I do not know whether any steps have been taken in that case. I know of a good number of ground engineers who after their course of training find it difficult to get a job anywhere. Whatever the personnel you want to fit in in these Forces you are trying to create under this legislation, unless they are properly utilised and unless you create the proper conditions of service, there will be no enthusiasm in the youth of the country to join these Forces. I would like this point to be considered very carefully. Unless we are in a position to create that condition I do not think this legislation will have any effect and it will find its way in the national archives.

Clause 33 is an important clause as it deals with the rule-making powers of Government. No doubt Government should have certain powers in this regard but from the clause it seems the powers provided for are so large that it is difficult to say whether the executive does not become a second Chamber. In the Select Committee these wide powers may either be circumscribed or limited.

The principle of the Bill is very sound but I am doubtful about its working. I would appeal to the hon. Minister and tell him that if he wants

this legislation to be effective he must create the necessary conditions for it, he must see that among the youth of the country a fervour to join in the defence of the nation is created so that they can come forward in large numbers. In this connection one point that must be considered is the question of political education in the Forces. The Government of the day seems to be suffering under the self-delusion that certain political parties cannot effectively contribute for service in the national Army. That is a mistake because we have seen during the last two wars, and especially in the last war, that a conscious Army alone can fight against heavy odds. In this country we have seen the fate of the I.N.A. personnel, or even that of the Naval ratings who at the request of Sardar Patel called off their strike. What treatment they received later on from the National Government: Political consciousness and political enthusiasm should be created so that more and more people join these Forces, and there should be no bar to one's joining them. Unless that enthusiasm is created, unless these conditions are created, I do not think whatever legislation we may have would be of any effect for the sake of our national defence.

With these few words I support the Bill.

**Shri Gopaldaswami:** I am very grateful to all sections of the House for the manner in which they have welcomed this Bill, also the broad features of the Bill. I am grateful also for some very valuable suggestions which have been made by several speakers as regards the contents of this Bill and the extent to which the provisions of the Bill could, in their view, be improved. We had, first, a very informative speech from my hon. friend, Mr Uma Charan Patnaik whose words on defence matters I always listen to with great attention. He brought forward a number of suggestions. He compared the conditions in our own country with conditions in other countries, he also drew attention to the fact that we in this country have not applied our minds energetically to the problem of what in the larger sense you might term nationalisation of the Armed Forces of India. Nationalisation was understood in a very restricted sense in British days. We then thought merely of Indianizing certain personnel in the higher ranks of the Armed Forces. But what we are now trying to do or what we ought to do is nationalisation in the real sense of the word. The Army which was recruited on a certain

[Shri Gopaldaswami]

basis during British days is now a national Army. It has given a very good account of itself since the British left the country, it has worked in the national interest and has deserved the plaudits which have been poured upon it by persons who have watched its activities. They have all been well-deserved. I was rather surprised to hear a somewhat very mild kind of dissentient note in the speech of the last speaker who has just sat down. He put forward the idea that there was a great deal of discontent in the Armed Forces and that it was necessary that we should remove this discontent by steps which we should take for the purpose of infusing confidence into the minds of the members of our Armed Forces. As a general proposition as to what we should do I am all in agreement with him, but the fact that he gave expression to is something which has produced alarm in my mind. I have been intimately connected with these Armed Forces and their officers only for the last two months or so, but I have come to know enough of them to say that if there is one thing which characterises our Armed Forces it is their utmost loyalty to the country and to the Government which they serve. They may have grievances as every employee has grievances, but I do not think that anything that they entertain in the nature of grievances can be described by the word "discontent". That word we must take particular care to avoid when we refer to our Armed Forces. Not only is it tactically unwise but I am afraid in fact it is without foundation.

Having said that, I should like to say with regard to the many interesting points which were raised by my hon. friend Mr. Patnaik that some of them can be dealt with in a small way even in connection with this Bill, but many of them raise problems which we have got to tackle in a larger background. I say larger background because we have to consider their implications and their applications with reference not only to the Air Force but to the Army and the Navy. I can give him the assurance that the ideas that he put forward will be examined in great detail and whatever steps we can take in a larger sphere it will be my endeavour to take within the shortest possible time.

Coming now to some of the points which my very old friend Shri B. Das raised, I wish to refer to only one point which was a kind of refrain in his speech both yesterday and today.

He found in the I.C.S. officers who man the Defence Ministry an explanation for all the deficiencies he has discovered in Defence administration in this country. He referred to some of the "Britishers" who were Secretaries of State in times gone by more than a quarter of a century ago. Some of those men I remember as well as he does. But whatever justification there may have been for the epithets which he showered upon I.C.S. men so far as those gentlemen were concerned, I am afraid that he was not doing justice to some of our own I.C.S. men who have been connected with Defence administration since the transfer of power. He referred to many people. He said that they were inheritors of the narrow tradition of the British days. He said that they were ignorant of many things connected with the Armed Forces and that they pretended to lay down policies and initiate action the consequences of which they were not competent to forecast. I hope I have summarised his views with justice. (Shri B. Das: To a certain extent.) All that I can say is that it is one of my great disappointments that my hon. friend has never been on these Benches, that is, the Treasury Benches.

Shri B. Das: I do not wish to be there.

Shri Gopaldaswami: If only we had had the good fortune.....

Shri Tyagi: It would have made a change.

Shri Gopaldaswami: It would have made a terrible change. Well, here is Shri Tyagi's example! I am sure that if my hon. friend had functioned in the office in which I am functioning today he will get a less objectionable view of the assistance which I get from my I.C.S. officers. I must say in fairness to them all that they do their work not only with intelligence and diligence but I think with patriotism, and that is the great change that has been brought about by the transfer of power in the mentality of Indians who have held offices which Britishers held in the old days. I have nothing more to say on that, and I do not wish to refer to the details of their activities to which my hon. friend made reference.

I am not trying to refer to every point that was raised in the course of the debate, but there was one other point to which my hon. friend referred, and to which a reference was

also made by my hon. friend Shri K. K. Basu. That was with regard to clause 33 of the Bill relating to the rule-making power. I think he stressed the point that the executive should not have unfettered power to make rules as they like. No doubt, he objected to that because of his dislike of I.C.S. officers who he thought were really the mischief-makers. On the other hand, the rule-making powers are exercised, even though the rules are framed in the Secretariat, according to a procedure which ensures that extreme views do not find expression in them. For instance, if a particular Ministry has to make rules, it has got to frame them after consulting all people who will have the opportunity of implementing those rules. Then those rules are sent to other Ministries wherever they impinge upon those Ministries. Finally, they are vetted by the Law Ministry and possibly by even the Attorney-General of India before they are enacted in the form of statutory rules, so that I do not think the I.C.S. man has unfettered opportunity to make mischief even if he was inclined to do so. But I certainly appreciate the point that apart from I.C.S. men, it is desirable that there should be some machinery by which rules which are fashioned in a Secretariat or in a number of Secretariats should stand the scrutiny of some body which would bring a fresh mind to bear upon them. We have now established a Committee of the House called the Subordinate Legislation Committee, one of whose functions it is to scrutinise the rules in draft before they are enacted. Now that gives Parliament the opportunity of vetting these draft rules before they become law, through a Committee of its own. That is one way of doing it. I have also no objection to placing on the Table of the House the rules which may be framed and it will be open to any hon. Member of the House to raise a discussion on any of those rules, whether they have been previously made or are only placed in draft on the Table of the House. We can consider and discuss this matter in the Select Committee as to whether we might suitably modify clause 33 to give effect as much as possible to this very desirable change.

I would refer to a point which was made by my hon. friend Mr Dhulekar. He was objecting to the scrappy information that, according to him, is supplied in that Statement of Objects and Reasons. For instance, he was complaining that we have given no idea of the strength of each of these Reserves, the time when they would

come into existence and the period it would take for them to attain their maximum strength. That is so. But in a document of this sort, it is not possible to give categorical information as to any of these matters. What this Bill does is to enable us by legislative authority to establish these three different kinds of Reserves. He probably expects that we should be able to say something about the size of the Reserve, what time it would take to reach the maximum size and so on. Well, as a matter of fact, you may take it that it is not my intention, after this measure is passed, to put it on the shelf and to take it out of the shelf only in a leisurely fashion. My object certainly is to start each of these Reserves as quickly as possible. Their development will depend upon the response we get from the public, upon the amount that will be required for expenditure in each particular year and the finances which we shall be able to obtain for purposes of development. Subject to that we have had some very rough estimates of what the strength of these reserves would be. For example, I think this information was furnished to a Committee of the House several months ago long before I became responsible for this portfolio. For instance the ceiling figure for the regular Air Reserve was estimated roughly at one-fourth of the strength of the regular personnel of a ten Squadron Force. That was the original idea and I believe in regard to the Auxiliary Air Force what was proposed to be done was to build up a Force to a maximum strength of seven fighter-bomber Squadrons which is stated in the printed document. The idea then was, that is to say at the time this information was furnished to a Committee of this House, that two Squadrons should be formed as soon as possible and the rest by 1954. That was an estimate of the time and I certainly will go into the details of this estimate with a view to evolving targets which will be practicable under the existing conditions.

**Shri Dhulekar:** What will be the expenditure on this?

**Shri Gopalaswami:** That has not been calculated. I am afraid I am not in a position to give that.

**Shri Dhulekar:** At least for two Squadrons to begin with?

**Shri Gopalaswami:** The details have not yet been worked out.

With regard to Air Defence Reserve, what was contemplated before this Bill was framed was that it

[Shri Gopaldaswami]

should be built up gradually to reach a strength of 400 officers of all branches and 4,000 air men of all grades. The actual build-up in each year depends upon the number of men that will become available and the money we will be able to spare. But that gives you some idea of the rough estimates we have worked on.

My hon. friend Mr Guha referred particularly I think to clause 26, that is to say the assurances that entrants into these Reserves can expect to be implemented by the employers from whose service they have to go for the purpose of having this training and incurring this liability. I have on another occasion explained the position as it is with regard to the army. We have put in the same provisions so far as the Air Force is concerned.

As regards reinstatement after a temporary absence from his original employment, I think there is fairly adequate protection in the clauses that we have put in. I can see that there will be a certain amount of criticism as to the compensation we have provided. We have put the maximum at six months' emoluments. There may be differences of opinion on that. That certainly is a matter which we can discuss in the Select Committee. The other point is that there is likely to be a gap between the emoluments of the man in private service and the emoluments he will get when he is under training or when he is called up for service in any of these reserves. Now, so far as Government departments go, I do not think any department will go against the instructions we have circulated to them, namely that they should make every endeavour to make up this difference to the persons whom they relieve for the purpose of getting this training and doing this service. As regards private employers that raises questions which I think have already been debated at great length in connection with the other Bill in this House. For the moment we are dependent upon the good sense of our employers to fall into line with our own views in this matter. Whether we can put a statutory obligation on them to make good this difference in any case is a matter which is not so easy of solution. In any case, if hon. Members have any suggestions to make in regard to that matter, let us consider them in the Select Committee.

There was a point raised by Mr. Guha. He wanted me to consider

whether the penalties provided in this Bill could be considered adequate. And he seemed rather inclined to the view that the penalties should be exactly the same as for regular members of the Armed Forces who are guilty of similar offences. Now, logically there is something to be said for it. But I want him and other hon. Members to examine it from another point of view. We are trying to induce a number of young men to come into these Reserves. If we put penalties into this legislation which are considered to be over-heavy—and I might say that the general feeling amongst the civilian population is that the penalties that are inflicted on members of the Armed Forces are much severer than the penalties which civilians subject themselves to—if it is said that we should flout in the face of possible entrants to these Reserves much more severe penalties than we have provided for in the Bill, that is also a matter which we shall consider in the Select Committee.

Then there was something said about service outside India. That point was also raised by my hon. friend Mr Basu. In fact I could deal with both Mr. Guha's contention and Mr. Basu's. Mr Basu's contention is much wider. He thought that item (b) in clause 24 was of doubtful justification. In other words he feared that if these Reserved Forces could be called out for the purpose of aiding the civil power, they might be employed on crushing political parties opposed to the party in power. And with regard to service abroad that was again his main line of contention, namely, that we might lend these forces to another Government outside our own country for the purpose of crushing political movements in that country opposed to that Government. (*An Hon. Member*: That can never be.) Well, the only point I wish to urge in this connection is that, as far as possible, you have got to credit the Government in power here with *bona fides* in administering the laws they enact. And in administering a law of this kind, when a question of aiding the civil power for the maintenance of law and order arises, I think it is uncharitable to assume that this power will be used for the purpose of crushing political opponents and advancing the strength or the influence of their own party. That is a thing which I believe is being unfair to any Government that may be in power. If that is the criterion which should guide us in making

laws, then we cannot make any laws at all. Then you ought to leave law-making in the hands of some body which did not represent political parties; you ought to give up the idea of the majority party assuming office and administering the country, and so on. That is an impossible situation for any kind of parliamentary Government to be carried on.

With regard to outside employment we all know that our Defence policy is defence, it is not offence. And if our Air Force has to overstep the boundaries of our own territory that can be done only in the defence of our own country: not for the purpose of invading another country or helping another Government to crush political movements in that country. It was pointed out that in the case of the Territorial Army there is a provision that you cannot employ such forces outside your own country without specific sanction from the Central Government and such a provision is not to be found in this Bill I wish to point out merely this that the Air Force is somewhat different in this matter from the Army. The Air Force ought to take decisions on the spur of the moment. An emergency may crop up and there will be no time to think about it and apply to the Central Government for sanction and wait for it before the Air Force can be ordered to take action. We have got to recognize that particular fact. You can only demand that if they overstep our limits it must be only in defence of our own interests and in order to prevent an enemy from encroaching, or committing an aggression, on our own territory. We should give greater freedom to the Air Force in this matter than to the Army.

I think I have covered most of the points that were raised in this debate. I only wish to say that I should like, if possible, that this Bill becomes law before the end of this session. That is why we have fixed, in the draft motion that is now under debate, the date, 30th of this month, for the report of the Joint Select Committee to the House. I hope hon. Members will co-operate with us in concluding the discussions in the Select Committee in time for the report to be submitted before the due date. First this has got to go to the other House with a message and we have got to get their concurrence to ten of their Members serving on this Committee.

**Mr. Deputy-Speaker:** The question is:

"That the Bill be referred to a Joint Committee of the Houses, consisting of 31 members; 21 members from this House, namely: Major General Jagannathrao Krishnarao Bhonsle, Shri Shahnawaz Khan, Sardar Surjit Singh Majithia, Shri P. T. Chacko, Shri T. S. Avinashilingam Chettiar, Shri Tekur Subrahmanyam, Choudhary Raghbir Singh, Prof. Nibaran Chandra Laskar, Shri Uma Charan Patnaik, Shri M. S. Gurupadaswamy, Shri Hirendra Nath Mukerjee, Shri Girraj Saran Singh, Shri Rayasam Seshagiri Rao, Shri Rameshwar Sahu, Shri Awadheshwar Prasad Sinha, Pandit Balkrishna Sharma, Pandit Krishna Chandra Sharma, Shri T. R. Neswi, Shri Jaipal Singh, Shri Ajit Singh, and the Mover and 10 members from the Council;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the 30th July, 1952;

that in other respects the rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to the Council that the Council do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Council to the Joint Committee."

The motion was adopted.

#### MESSAGE FROM THE COUNCIL OF STATES

**Secretary:** Sir, I have to report the following message received from the Secretary of the Council of States:

"I am directed to inform the House of the People that the Council of States, at its sitting held on Thursday, the 24th July, 1952, has passed the enclosed motion concurring in the recommendation of the House of the People that the Council do join in the Joint Committee of the Houses on the Bill further to amend the Preventive Detention Act, 1950. The names of the members nominated by the Council to serve on the said Joint Committee are set out in the motion."

[Secretary]

**Motion**

"That this Council concurs in the recommendation of the House of the People that the Council do join in the Joint Committee of the Houses on the Bill further to amend the Preventive Detention Act, 1950, and resolves that the following members of the Council of States be nominated to serve on the said Joint Committee: Diwan Chaman Lal, Pandit Sitacharan Dube, Shri R. C. Gupta, Shri Bhalchandra Maheshwar Gupte, Shri K. S. Hegde, Shri Jaisukh Lal Hathi, Pandit Hirday Nath Kunzru, Shri P. S. Rajagopal Naidu, Shri K. P. Madhavan Nair, Acharya Narendra Deva, Shri Osman Sobhani and Shri P. Sundarayya."

**Mr. Deputy-Speaker:** I understand that the first sitting of the Joint Select Committee on the Bill further to amend the Preventive Detention Act will be held at 2-30 P.M. tomorrow and therefore, the sitting of the House in the afternoon tomorrow will stand cancelled.

**ESSENTIAL GOODS (DECLARATION AND REGULATION OF TAX ON SALE OR PURCHASE) BILL**

**The Minister of State for Finance (Shri Tyagi):** I beg to move:

"That the Bill to declare, in pursuance of clause (3) of article 286 of the Constitution, certain goods to be essential for the life of the community, as reported by the Select Committee, be taken into consideration."

I am grateful to the Members of the Select Committee who after exhausting themselves in the House took an active interest in the deliberations of the Select Committee, and applied their minds, and gave many suggestions. These as well as those which came from various quarters were considered and after a long deliberation, we have just given a report which I hope the Members of this House may have gone through. There was not much to be discussed in the Select Committee except the number of commodities which were to be included in or excluded out of the Schedule to the Bill.

There was one more point that was discussed here by my colleague when he moved the motion for the

consideration of this Bill. It was whether the laws which were also made by the State Governments before the passing of this Bill by us, or before the Constitution came into force, were to be amended by means of the measure which was before this House. In this connection my colleague had already explained and the fact is that what is implicit in the Constitution was tried to be made explicit by adding the words 'made after the commencement of the Act' in the Bill. These are the words which upset some of my friends. They thought that with these words this measure would dominate over or overrule the State enactments which has been completed in the past. There was some such suspicion lurking in the minds of some of my learned friends and they thought that it would be better to delete the words 'made after the commencement of this Act' from the Bill. In the meantime, we consulted the Law Ministry. My hon. friend, Pandit Thakur Das Bhargava has been discrediting my opinions about law, he being an old lawyer, I am sure he would care more for the opinion of the Law Ministry in this matter. We have been of the view and that is the view of the Law Ministry also, that as the Constitution stands, we shall not be able to make any changes by means of this measure in the laws which the State Governments had already enacted, both before the coming into force of the Constitution and also those laws which they enacted before this measure has been passed by this Parliament and about that. I think, instead of arguing in my own layman's language, I would rather prefer to read the opinion of the Law Ministry. That is practically all that has to be said about this Bill. There is no other argument: the Bill is very small and I do not want to take more time of the House. I understand that by one o'clock we could finish the Bill if that objection were not there. I am reading it just to avoid further arguments in this connection:

"The question may be divided under two heads:

(1) whether article 286(3) applies to laws made before the commencement of the Constitution, that is, before the 26th January, 1950; (2) whether the article applies to laws made during the period between the commencement of the Constitution and the enactment of a law of Parliament under that article.

**Bill**

So far as the first question is concerned, it hardly admits of any doubt. The words used are 'made by the legislature of a State' and this can aptly refer only to legislation made after the commencement of the Constitution. The Constitution has in various places, referred to the law existing at the date of its commencement as 'the law in force in the territory of India immediately before the commencement of the Constitution'. The same or similar phraseology would have been used if the intention of clause (3) of article 286 was to refer to laws enacted before the 26th January, 1950, by the Provincial Legislatures.—The legislatures were then 'provincial' and not 'State'—"The article refers to 'reservation of the law for the consideration of the President'. Since there was no President before the commencement of the Constitution, it is obvious that the article could not have been intended to apply to laws made before such commencement. Most of the States Sales Acts were passed before the commencement of the Constitution. The table below gives the necessary information on this subject.

Table

Name of the State	Year of enactment of Sales Tax Act-
Assam	1947
Bengal	1941
Bihar	1947
Bombay	1946
Madhya Pradesh	1947
Punjab	1948
Madrass	1939
Orissa	1947
Uttar Pradesh	1948
Mysore	1948
Travancore-Cochin	1950

Fifth January was the date on which they passed it: that is before the commencement of the Constitution, again.

Madhya Bharat: They passed it on 29th April, 1950, after the commencement of the Constitution.

It would appear from the above table that only one Sales Tax Act, namely, that of Madhya Bharat has been passed after the commencement of the Constitution. From the practical point of view, therefore, the answer to the first point disposes of the whole question. The second point

may, however, be briefly examined. The language of article 286 (3) of the Constitution leaves no doubt about this point also. The words 'such goods as have been declared by Parliament by law' suggest that Parliament must first make a law declaring certain goods to be essential for the life of the community before the article can apply to any law made by the Legislature of a State imposing or authorising the imposition of a tax on the purchase or sale of any such goods. The words 'reserved for the consideration of the President' are also significant. A Bill passed by a State Legislature is reserved for the consideration of the President under article 200. That article enacts that when a Bill has been passed by the Legislative Assembly of a State, it shall be presented to the Governor and the Governor shall declare either that he assents to the Bill or that he withholds his assent therefrom or that he reserves the Bill for the consideration of the President. It would appear that it is only a Bill which can be reserved for the consideration of the President. Once a Bill is passed by the Legislature of a State and is assented to by the Governor, it cannot be reserved for the consideration of the President. It follows that Sales Tax Acts, which have already been passed and assented to by the Governor cannot now be reserved for the consideration of the President. In respect of such Acts it is not practicable to comply with the provisions of article 286 (3). It is therefore clear that the article cannot apply to such Acts."

That is the opinion of the Law Ministry.

**Shri B. Das** (Jaipur-Keonjhar): So Parliament has been fooled, as it appears now.

**Shri Tyagi**: Parliament has delayed action.

Then, another misunderstanding lurks in the minds of some Members. They think that these articles which are enumerated in the Schedule here would be absolutely excluded from the sales tax altogether. That is not so. In fact, the position is that by this enactment, Parliament will be just discouraging any further load of tax on these articles which are enumerated and declared essential for the community. That is all what is meant.

Then, there are certain States which have not yet passed any Sales Tax Acts. As soon as their Customs Duties are, according to the Agree-

[Shri Tyagi]

ments, taken away, they will forego that income. They have to substitute this by some other item. There are certain States in the country which have not yet come forward with Sales Tax Acts in their Legislatures. They would be altogether deprived of the revenue from these goods which are declared essential according to this Bill. Therefore, I want to clarify that position. That is not so. Even those States can levy taxes on these commodities which are in the Schedule. But, it will be for the President to keep the Bill under his consideration and give his assent after scrutinising it. Therefore, Government will see to it that the rate of taxes that they propose does not go higher than what usually prevails in other States. Therefore, there is no absolute ban on the levying of taxes on these essential goods. States which have not yet been able to pass such enactments will be free to pass their enactments to tap the avenue of taxation given to them; but their rates will be controlled in the case of the commodities enumerated in the Schedule.

I do not want to take much of the time of the House. I hope there will not be many amendments and that the Bill will go through. I commend the Bill.

**Pandit Thakur Das Bhargava** (Gurgaon): With your permission, Sir, may I put one question to the hon. Minister? I understand that this law is based on the principle of uniformity and in future, it will be within the hollow of the hand of the President to allow such taxation or not. I want to know what the policy of the Government is in this matter: whether those States which have already levied taxes on such commodities as are enumerated in this Bill, will be influenced by the Central Government to forego these taxes, to see that the condition in those States is brought into uniformity with States where there is no such tax. After all, the policy of the law is very clear so far as article 286 of our Constitution is concerned. I would like to ask the hon. Minister if that is the policy of the Government.

**Shri Tyagi:** My hon. friend and I were there when this article was passed. We know that the spirit of the article was to have a uniform type of sales tax in the whole country. But, as things stand today, there are difficulties both legal and constitutional and it is not possible for the Central Government to force

the hands of the State Government, against their will.

**Pandit Thakur Das Bhargava:** I said influence.

**Shri Tyagi:** If my hon. friend wants to know what the Government really desires, I might at once say that we shall really be very glad if some type of uniformity is established all over the country and if we could be helpful in bringing about a uniformity, we shall be too pleased. But, that can be done only when the States are in a position to settle their revenues. Some States have recently been formed. Our Taxation Enquiry Committee is soon going to be appointed. Already the Finance Commission is there. Both these bodies are to investigate and report. We shall always welcome States coming together, not only for sales tax, but for many other matters on which uniformity is needed. That, I say, is most welcome to the Government.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to declare, in pursuance of clause (3) of article 286 of the Constitution, certain goods to be essential for the life of the community, as reported by the Select Committee, be taken into consideration."

I need not remind hon. Members that the scope of discussion at this stage is limited only to the report of the Select Committee. The principle of the Bill cannot be gone into at this stage. Whatever changes have been made in the Select Committee and whatever further changes are necessary alone would constitute the scope. Hon. Members will therefore be very brief if possible.

**Shri B. Das:** I happened to be a member of the Select Committee and I got the biggest shock of my life when I found that the provinces have revolted against the Centre. The hon. Minister has just now read the opinion of the legal advisers. That was first discussed in the Select Committee. I find that the States have revolted against the Centre. You, Sir, were an esteemed Member of the Constituent Assembly and you know how in 1948-49 we were all agitated about the uniformity of the sales tax.

Certain States included therein have doubled the Sales tax duty, their excise duty etc., because they wanted

## Bill

money. They went on levying sales tax, for instance Bombay, Madras and Bihar. Even today, in Madras they are taxing food commodities at various points, not at one point. It was in 1949 we passed the law that under article 286 (1), the Centre will control the sales tax, so that there will be uniformity. Let me give my own interpretation of the article. I believe in the supremacy of the Central Government and not in the madness of the States. The Bihar Government have levied sales tax on coal which is consumed in Bombay or Madras. The iniquity we are suffering.....

**Mr. Deputy-Speaker:** I am afraid this relates to the principle of the Bill.

**Shri B. Das:** This relates not to the principle of the Bill, but to the interpretation.

**Mr. Deputy-Speaker:** There is no question of interpretation. I have to differ from the hon. Member. This relates to the principle of the Bill as to whether it is open under the Constitution when the Bill is framed to go behind or just rip open all the several Acts that have been passed already. Now, the Bill has already been reported upon by the Select Committee. It may be said that some of the articles may be excluded from the Schedule, some may be included etc., I do not think anything more will be allowable at this stage.

**Shri B. Das:** I have been a member of the Select Committee.....

**Mr. Deputy-Speaker:** The hon. Member has not even sent a minute of dissent.

**Shri B. Das:** We have been fooled, bamboozled by the States, and my friend Shri Bhargava will not be able to persuade any of the States to fall in line for purposes of having uniformity in sales tax.

**Mr. Deputy-Speaker:** That again is a matter of principle.

**Shri Tyagi:** I thought.....

**Mr. Deputy-Speaker:** It is not necessary for the hon. Minister to reply. So far as this is concerned, it is a matter of principle going not even to the Bill, but further up to the Constitution itself.

**Shri A. C. Guha (Santipur):** I do not agree with the minute of dissent because however anxious we may be to have uniformity, the legal opinion is that according to the Constitution we cannot have that uniformity. Then simply by deleting the words "made after the commencement of

the Act", we would make the Bill liable to be brought before the courts, and that will simply open the gate for litigations.....

**Mr. Deputy-Speaker:** The hon. Member may refer to it when the amendments come. Is it necessary to refer to the minute of dissent here?

**Shri A. C. Guha:** There is no amendment. That is the only amendment to the Schedule.

Everybody would like to have uniformity as regards sales tax, but I think it was brought to our notice that when this Bill was before the House, one of the States was trying to impose sales tax on some of the articles included in the Schedule. They wanted to rush through a Bill. I do not know how far they have succeeded. So, the States are really eager and anxious to impose sales tax, and it is not simply out of fun that they are eager to do so; they are short of funds. And in this connection, while we are also eager to impose uniformity, we have also to see.....

**Mr. Deputy-Speaker:** I am afraid it is a matter of principle. The hon. Member need not go into all that.

**Shri A. C. Guha:** This is a question of uniformity.

**Mr. Deputy-Speaker:** No question of uniformity; it relates to a matter of principle.

**Shri A. C. Guha:** The finances of the States are going to be affected.

**Mr. Deputy-Speaker:** We cannot help it.

**Shri A. C. Guha:** We can help it by making adequate.....

**Mr. Deputy-Speaker:** I will not allow such discussions.

**Shri A. C. Guha:** Only I was saying.....

**Mr. Deputy-Speaker:** The hon. Member may add vegetables to the list or any other thing which he wants.

**Shri A. C. Guha:** As for the list, I think paper should have been included in the Schedule, because paper is as good a raw material as cotton and jute. For the production of books and newspapers, paper is the raw material, and I think the amendment for including the paper in the Schedule should be accepted by the Government, and since you cannot

[Shri A. C. Guha]

allow us to say anything about the principle of the Bill. I do not like to say anything about that, but while putting a check on the Provincial revenue, the Centre should see that the Provinces get proper allocation from the Central revenues to meet their necessities.

**Shri Tyagi:** The amendments have to be moved.

**Mr. Deputy-Speaker:** It must be taken into consideration first.

**एक माननीय सदस्य :** इस में मेरा एक सुझाव है ।

**Mr. Deputy-Speaker:** Hon. Members may reserve what they have to say when the amendments are moved.

**एक माननीय सदस्य :** में ो शब्द कहना चाहता हूँ ।

I do not want to say anything about the principle of the Bill.

**Mr. Deputy-Speaker:** Then we shall dive into the amendments immediately.

**Shri U. M. Trivedi (Chittor):** Sir, I want to say a few words.

**Mr. Deputy-Speaker:** Within the limits, has the hon. Member much to say?

**Shri U. M. Trivedi:** There is only half a minute left.

**Mr. Deputy-Speaker:** That will be occupied by him.

**Shri U. M. Trivedi:** The question is this. I understood you to say, Sir, that no question can be raised on the floor of this House in the discussion of this Bill on the dissenting minute that has been included in the Select Committee's Report.

**Mr. Deputy-Speaker:** Not that. So far as the question of principle is concerned, the principle has already been accepted by the House. To say that this principle be enlarged or that the Constitution is wrong or that the Constitution should be amended, or that the interpretation is this—all these things ought not to be gone into now. Only as regards the changes that have been made in the Schedule, it may be said that either a change ought to have been made or ought not to have been made, or some other changes should have been made, etc.

**पंडित ए० आर० शास्त्री :** (जिला आज़मगढ़—पूर्व व जिला बलिया—पश्चिम): यह जो ला मिनिस्ट्री (Law Ministry) ने अपनी राय या सम्मति दी है धारा २८६, भाग(३) के सम्बन्ध में, अगर उस से कोई सदस्य भिन्न राय रखता है तो क्या उस पर कुछ कहने की आज्ञा होगी ?

**Mr. Deputy-Speaker:** No.

**Pandit Thakur Das Bhargava:** With your permission, Sir, may I respectfully submit that at this stage when the motion before us is that the Bill has to be considered, every Member is entitled to submit for your consideration that the Bill may not be considered, and he should be allowed to give the grounds as to why he is opposed to the consideration of the Bill.

**Mr. Deputy-Speaker:** That may be at the third reading stage.

**Pandit Thakur Das Bhargava:** After all the amendments have been made, then at the third reading stage, it will be no good to say that the Bill be not considered. But at this stage, when the question is whether the Bill has to be considered, every Member is entitled to say that the Bill be not considered.

**Mr. Deputy-Speaker:** No. Ultimately it may be said that the Bill be thrown out on the ground that the principle of the Bill is wrong.

**Pandit Thakur Das Bhargava:** No, it may not be, Sir.

**Mr. Deputy-Speaker:** It is as good as that. If it ought not to be considered, what happens? It drops out, or it becomes dead. Hon. Member is aware of the rules. Rule 98 says:

"The debate on the motion that the Bill as reported by the Select Committee be taken into consideration shall be confined to consideration of the Report of the Select Committee and the matters referred to in that report or any alternative suggestions consistent with the principle of the Bill."

**Pandit Thakur Das Bhargava:** There is the minute of dissent. It may be passed except for these words "before the commencement". There is the alternative suggestion and there is the minute of dissent, and every one is entitled to.....

## Bill

**Mr. Deputy-Speaker:** Alternative suggestion consistent with the principle of the Bill. Therefore, merely because a minute of dissent is there, if it is inconsistent with the principle of the Bill, it will not do.

**Pandit Thakur Das Bhargava:** The principle of the Bill will even be followed if these words are taken away. The Bill remains and it will be a good Bill, even if these words go away. The principle of the Bill is this kind of taxation may not be allowed unless President allows it. There every Member has a right to differ whether it should be so for the future only or for past also.

**Shri U. M. Trivedi:** We shall discuss it tomorrow.

**Shri A. C. Guha:** Since the purpose of the Government is to bring about uniformity, Members should be allowed to speak as to how to bring about that uniformity.

**Mr. Deputy-Speaker:** I will consider this again. All that was permissible before it was sent to the Select Committee. Now it is no longer permissible. That is my view at present. Anyhow, we cannot complete it today. We will consider the matter again.

*The House then adjourned till a Quarter Past Eight of the Clock on Friday, the 25th July, 1952.*